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THE

HISTORY

OF THE

REIGN OF GEORGE III.

TO WHICH IS PREFIXED,

A VIEW OF THE PROGRESSIVE IMPROVEMENT OF ENGLAND,
IN PROSPERITY AND STRENGTH,
TO
THE ACCESSION OF HIS MAJESTY.

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ac

By ROBERT BISSET, LL.D.
AUTHOR OF THE LIFE OF BURKE, &c. &c.

The Second Edition,
COMPLETED TO THE DEATH OF THE KING.
IN SIX VOLUMES.
VOL. II.

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HISTORY

OF THE

REIGN OF GEORGE III.

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between the two houses. — Singular confederacy for bribery in the borough of Shoreham. — Opposition censure the terms of satisfaction admitted from Spain. — Supplies. — Session rises.

CHAP. IX.

1770. Commencement of lord North's administration.

LORD North, chancellor of the exchequer, succeeded the duke of Grafton in his office of first lord of the treasury; and from this time commenced an administration which forms a momentous æra in the history of Great Britain.

THE Middlesex election came before both houses in a variety of forms, and produced brilliant and forcible eloquence, but necessarily a repetition of arguments which had been already employed. In discussing this subject, lord Chatham reviewed the measures of government, which he declared, in its principles and details, to be weak, unconstitutional, and ruinous; and unfolded his own reasons for opposing a ministry which owed its existence to himself. Finding (he said) the line of conduct which he had chalked out not observed, and his opinion totally over-ruled, he had withdrawn from public business, and at length entirely resigned.— His several motions, however, were negatived by the influence of ministry.

THE reception of the London petition underwent very severe animadversions. The king not having paid to that production the favourable attention which its authors had the presumption to expect, they chose to deliver another paper to the king, entitled, the *humble* address, *remonstrance*, and petition of the lord mayor, aldermen, and livery of the city of London. In this *humble* application to their sovereign, these citizens undertook to declare what was the law of the land, and wherein it had been violated; and to prophecy that its violation would produce more ruinous consequences, than the ship-money of Charles I. and the dispensing power of James II. The citizens next declared the

Remonstrance of city of London,

parliament a *non-entity*, an illegal meeting, whose acts were not binding, and therefore could require no obedience. They drew a parallel between the administrations of George III. and James II.; differing indeed in means, but concurring (they affirmed) in principles and system. The constitution, now endangered by the wickedness of his majesty's ministers, had been established by the virtue of their ancestors, and by the virtue of present patriots it should be preserved. The concluding paragraph of this essay I shall quote, as a specimen of the terms in which this corporation dictated to their monarch, and of the licentiousness of that period of history. "Since, therefore, the misdeeds of your majesty's ministers, in violating the freedom of election, and depraving the noble constitution of parliaments, are notorious, as well as subversive of the fundamental laws and liberties of this realm; and since your majesty, both in honour and justice, is obliged inviolably to preserve them, according to the oath made to God and your subjects at your coronation; we, your majesty's *remonstrants*, assure ourselves, that your majesty will restore the constitutional government and quiet of your people, by dissolving this parliament, and removing those evil ministers for ever from your councils." The answer was a striking example of temperate, but dignified and forcible reproof; it was couched in the following terms: "I shall always be ready to receive the requests, and to listen to the complaints of my subjects; but it gives me great concern to find, that any of them should have been so far misled, as to offer me an address and remonstrance, the contents of which I cannot but consider as disrespectful to me, injurious to my parliament, and irreconcilable to the principles of the constitution. I have made the law of the land the rule of my conduct, esteeming it my chief glory to reign over a free people. With this view, I have always been

CHAP. IX. 1770.

and reply of his majesty.

CHAP. IX. 1770.

careful, as well to execute faithfully the trust reposed in me, as to avoid even the appearance of invading any of those powers which the constitution has placed in other hands. It is only by persevering in such a conduct, that I can either discharge my own duty, or secure to my subjects the free enjoyment of those rights which my family were called to defend: and while I act upon these principles, I shall have a right to expect, and I am confident I shall continue to receive, the steady and affectionate support of my people."

are discussed in parliament.

On the 15th of March, the remonstrance was discussed by the house. The city members, supported by the rest of the opposition, defended it: its framers gloried in the production. Others, less violent, eluded the merits of the paper in question, and reasoned on the general right of petitioning his majesty, and the propriety of addressing him at the present time. The supporters of ministers confined themselves to this specific remonstrance, which they contended, and proved, to be insulting, injurious, and dangerous; particularly dwelling on that part of it which presumed to deny the legality of the present parliament, as tending to deprive the people of their representatives, and to annul every act which had passed since the general election. Both houses addressed his majesty, thanking him for his answer to the remonstrance. Several motions were made for an address to his majesty to dissolve the parliament, but these were negatived. Lord Chatham was extremely active in anti-ministerial propositions: and the admirer of the highest wisdom and patriotism of those times must regret, that the heat of party-contention should so far have transported this illustrious senator, as to have induced him to countenance and support the very irreverent remonstrance of the city of London.

Bill for disqualifying officers of

An attempt was made to diminish the influence of the crown, by proposing a bill to disqualify certain

CHAP. IX.

1770.

tain officers of the revenue from voting for members of parliament; and a motion to this effect was made on the 11th of February. The supporters of the proposition observed, that the chief officers of the revenue were disqualified from sitting in parliament, and that there were the same reasons for incapacitating inferior officers from being electors. Both classes of servants must be under the direction of the crown; and the departments of the revenue were become so numerous, as to render that influence inconsistent with the purposes of a free representation. Ministers replied, that the motion presumed in its objects a dependence and corruption which was not proved; on this presumption, it proposed to place holders of those employments in a worse situation than their fellow-countrymen; and thus to deprive many individuals of the rights of British subjects: the motion was rejected. On the 28th, a proposition was made for inspecting the accounts of the civil list during the year 1769. The nation (it was urged) had a right to examine how its late grants had been employed: if the money had been properly used, no inconvenience could accrue to ministers from the inspection; if improperly applied, it was the duty of the house to make the discovery. It was answered, that the civil list being entirely the revenue of the crown, the crown had a right to expend it at will; if an application had been made for an additional grant, the expenditure of the first ought to be investigated to ascertain its necessity; but that not being the case, there were no reasons to require or to justify an examination: on these grounds, the motion was negatived.

the revenue from voting at elections,

is negatived.

On the 7th of March, Mr. George Grenville proposed a bill for regulating contested elections. These were formerly tried by a select committee; by degrees the committees were so enlarged, as to become open to every member: so great a number of

Mr. Grenville's bill for regulating contested elections,

CHAP. IX.

1770.

judges, not bound by oath, decided very often according to party connexion, or some other partiality, instead of justice; and many instances occurred of unfair nominations. To remedy this evil, Mr. Grenville proposed a plan analogous to a trial by jury. Before a contest could be tried, the house must consist of not less than a hundred members; the names of all present were to be put into boxes, and to be drawn out till they amounted to forty-nine; the two litigants were alternately to strike off one of these, till they were reduced to thirteen; these, with two nominees, were to be sworn a select committee, empowered to examine records, papers, and witnesses, and to determine finally. The bill was passed into a law, since well known by the name of the Grenville act, and is considered as having made a very beneficial change in the fairness of decisions.

is passed into a law.

Lord North's bill for repealing all duties on America except on tea.

AMERICAN affairs began in March to occupy the attention of parliament, and first offered to the public an opportunity of judging of lord North's ministerial talents. The British merchants who traded to America, had sustained immense losses by the rejection of their goods; and apprehending ruin if the associations should continue, presented petitions to parliament, stating their sufferings, and praying its intervention. On the 5th of March, lord North proposed a bill for the repeal of part of the act of 1767, which laid a duty on paper, painted colours, and glass, but continuing the part of the same law which exacted a duty from tea. The minister assigned as a reason for bringing in the bill, the dangerous combinations which the imposts had produced in America, with the losses and dissatisfaction which they had caused among the merchants at home. He strongly expressed his disapprobation of the act in question, but censured it as an unproductive impost, not as an impolitic claim: the articles taxed (he said) being chiefly British manufactures,

1770.

factures, ought to have been encouraged instead of being burdened with assessments. The duty on tea was continued, for maintaining the parliamentary right of taxation. An impost of three-pence in the pound could never be opposed by the colonists, unless they were determined to rebel against Britain. Besides, a duty on that article payable in England, and amounting to nearly one shilling in the pound, was taken off on its exportation to America; so that the inhabitants of the colonies saved nine-pence in the pound. The minister here discovered that he had not investigated the state of affairs, and the sentiments of the people; for a cursory attention to the declarations and acts of the Americans must have demonstrated, that their objection was not to the amount, but to the claim; and experience might have convinced him, that no temporising expedients, no half measures, would be effectual. Different as the professed opinions of the Rockingham administration and of lord North were, their policy sprang from similar indecision. Wishing to please both parties, they left the chief matter in dispute undetermined, and of course a subject of future contention. The members of opposition did not fail to see and to predict the inefficacy of the minister's plan; they repeated the arguments on the injustice and inexpediency of taxing America, and the evils which had arisen from the attempt: the minister's propositions, however, were carried by a great majority. This act may be considered as an omen of lord North's administration; at least, so far as a display of character justifies predictions respecting future conduct and its result. Discerning men saw meritorious intentions and ready ingenuity, without the accompaniment of that enlarged political wisdom, firmness, and decision of mind, which only when united can constitute a beneficial statesman.

CHAP. IX.

1770. Tumult at Boston.

THE very day on which the resolutions were passed that lord North intended for satisfying the colonies, a quarrel arose at Boston between some of the inhabitants and a party of soldiers. While the troops sent to Boston in 1768, remained in that town, the people had been awed into quietness; but in the end of 1769, a great part of them having been ordered to other quarters, those who remained were treated with the most provoking insolence; they were lampooned and abused in the newspapers; ridiculed and reviled, if met singly or in small bodies in the streets; and disturbed and interrupted in the discharge of their duty. In the evening of the 5th of March, a dispute happened between two or three young men of the town, and as many soldiers, near the barracks[a]; virulent language produced blows; the soldiers proved victorious, and pursued their adversaries through the streets. The bells were rung to alarm the populace; a mob assembled round the custom-house, and threatened the sentinel's life that was posted there; captain Preston, the officer on guard, sent a party to protect not only the soldier, but the custom-house, and soon after proceeded thither himself. The mob, becoming very violent, attacked the soldiers with stones and clubs; the captain, as long as it was possible, kept his men from firing; but at length, their lives being in danger, they were obliged to use their arms in their own defence: four of the insurgents were killed, and some others wounded: the tumult became much more general, and the rest of the troops were assembled. The governor[b] having called together the council, they advised the removal of the troops, which was accordingly ordered. Captain

Captain Preston and the soldiers interfere.

[a] See Stedman, vol. i. p. 75.

[b] Mr. Hutchinson had been lately appointed to that office. The Americans had petitioned for the removal of sir Francis Bernard; and that gentleman having returned to England to defend himself, vindicated his conduct to the satisfaction and approbation of his sovereign. Disdaining, however, to resume his authority among people who had solicited its annihilation, he resigned his employment.

Preston surrendered himself for trial, and the soldiers under his command were taken into custody. Every unfair means that could be used were employed to inflame the people against the defendants, and to prejudge the cause. In the newspapers, and various other publications, the troops were represented as guilty of deliberate murder; dead bodies were carried in procession through the town, and held out as the victims of military execution. Fortunately for the cause of justice, the trials were put off for several months, so that the ferment subsided: captain Preston was honourably acquitted; as were all the soldiers, except two, who were convicted of manslaughter.

Are tried and acquitted.

THE account of this tumult arrived in England before the rising of parliament, and it was expected that ministry would have immediately proposed taking it into consideration. They, however, purposely waved the discussion, entertaining great hopes of the conciliatory effect of the recent repeal; and, as the disturbances had taken place when that was not known in America, they trusted that the account of the new resolutions would change their sentiments, and produce dispositions to order, tranquillity, and harmony. They thought it therefore prudent to abstain from investigations which might again inflame the colonists; and the session closed toward the end of May.

Minister, wishing conciliation, overlooks the riot.

Session rises.

A WAR was now raging on the continent, in which Britain, without actually interfering, warmly favoured one of the parties. For several years it had been part of the British policy to renew and increase that intercourse with Russia, which, from political, but still more from commercial motives, former kings had cultivated, but which had been diminished in the last war by the alliance of the czarina with our enemies. Turkey had been for successive ages on amicable terms with France, and to French ports flowed the greater part of her beneficial commerce.

War between Russia and Turkey.

The

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1770. Catharine is favoured by England.

The British government and nation earnestly desired the success of Catharine, our friend and ally, against Turkey, the friend and ally of our rival, and were strongly interested in the events of the war. These at this time diversified public attention, and prevented it from brooding solely on internal contests and colonial disturbances. The war which had been declared between Russia and Turkey, was carried on with great fury by both parties; but by no means with equal ability and skill. Catharine employed the winter of 1768 and 1769 in increasing her armies, and making pecuniary provisions for supporting the war: she also established a new council for military and political affairs, over which she presided herself. The Russian troops, hardy and courageous, had the advantage of great and recent experience, in the wars with Frederic, and the contest with the Poles. The Turks were much inferior to the Russians in military discipline, and for the last thirty years had not been engaged in any war. They had never, like the powers of Christian Europe, introduced so much of science into their tactics, as, during peace, to improve themselves in the military art; the force and goodness of their armies depended solely on actual exercise, and experience in the field became torpid by long cessation of effort. They had formed their empire by the sword, and had awed the conquered for several centuries by keeping it perpetually drawn. Fear only of the courage and warlike force that they saw incessantly displayed, had kept the Greek Christians in a subjection, which, from religious, moral, and political principles, filled them with indignation and abhorrence. They had from religion a very warm attachment to Russia, and since she had arrived at great power, considering her as the natural patron of the Greek faith, they were evidently disposed to seek her protection, whenever an attempt for their relief could be made. Seeing their

their oppressors, once so terrible, now enervated by long inaction, they began to entertain hopes of emancipation. Informed of the state of Turkey, and of the sentiments of her Grecian brethren, the lofty genius of Catharine conceived, and her bold spirit executed, a project which astonished all Europe. This was, to send from the recesses of the Baltic to the Mediterranean a fleet, which should excite and support insurrections of the Greek Christians, intercept the intercourse between Constantinople and its granaries in Egypt and other parts of the empire, command the Archipelago and Levant, and spread alarm through the vast dominions of the sultan. Her mind, capacious and comprehensive as well as inventive, had carried its views to the whole of her interests. She earnestly cultivated the friendship of England, and thereby was powerfully assisted in her naval schemes, by having the advantage of our ports both in this island and Gibraltar, and also of able officers and skilful pilots. By land she made such a disposition of her forces, as was best calculated for speedily rendering the enemy's country the seat of war; and though distant, profiting from the co-operation of her fleet, and diverting the force of her antagonist. The campaign was opened as early as the climate would permit; the Turkish Tartars, accustomed to brave the utmost rigour of the winter, made an incursion into the Russian Ukraine, plundered and desolated the country, before the Russian troops took the field; and, though afterwards obliged to retire, secured their booty. In April, prince Gallitzin, commander in chief of the Russians, posted himself on the Niester, to oppose the main army of the Turks, who were marching into Moldavia, while general Romanzow was placed on the Nieper, to watch the Turkish Tartars. Before the arrival of the Turks, Gallitzin attempted to seize Chockzim; but, being strongly fortified and garrisoned, it held out

CHAP. IX. 1770.

out till the arrival of the Turkish army rendered it prudent to desist. The vizier, aware of the superior discipline of the enemy, wisely avoided a general engagement, and harassed the Russians by marches and skirmishes. The janizaries, abundantly brave, but unused to fatigue, longed for a general battle, in which they assured themselves of a victory that would put an end to their labours, and suffer them to return to the luxuries of the capital. Esteeming the cautious policy of their commander cowardice, they transmitted intemperate complaints to the divan. The court, weak as wicked, and ignorant as despotic, without inquiry put the vizier to death, and appointed Ali Pacha, a man of fierce brutal courage, his successor. This nomination proved very favourable to the Russians. Ali Pacha gave Gallitzin battle, and was defeated with very great loss; he soon after fought him again, when the Russians obtained a decisive victory, and reduced the fortress of Chockzim; and before the close of the campaign, they over-ran Moldavia and Wallachia. The Russians this summer had various engagements with the Polish confederates, but none decisive, as they were obliged by the Turkish war to employ so many troops elsewhere.

Her armies over-run Moldavia and Wallachia;

It was not till the beginning of the year 1770, that the Russian fleet, under count Orloff, sailed for the Mediterranean: after having been shattered in the North seas, the armament stopped at Portsmouth to refit; and departing, arrived at Port Mahon. After undergoing a second reparation, they sailed from Minorca about the end of February, reached Cape Metapan[c], took Missitra[d], ravaged the coasts, proceeded to Asia Minor, burnt the Turkish fleet in the harbour of Skio[e], and cutting off the communication between European Turkey, and the most fertile provinces in other quarters, distressed Constantinople. The Russian armies continued

[c] Anciently Tenarus. [d] Sparta. [e] Chios.

uninterrupt-

uninterruptedly successful; Romanzow, after repeated victories, one of which, at the confluence of the Pruth and the Danube, was glorious and decisive, conquered all Turkey beyond that river, except Bessarabia. Here, however, count Panin besieged and took the famous town of Bender by storm, and reduced the whole province. Thus all the Turkish dominions from Poland to the Danube southward, and from Hungary to the Euxine eastward, were now in the possession of Russia. The neighbouring powers regarded these successes of Catharine with jealousy and apprehension. The house of Austria was much alarmed at the conquests of so ambitious and enterprising a power in its immediate vicinity. Even Frederic, intimately as he was connected with Russia, did not rejoice at her great accession of territory. Two interviews took place this year between the Prussian king and the emperor; at which Joseph declared, that neither Maria Theresa nor himself would suffer Catharine to retain Moldavia and Wallachia. Frederic, though he did not differ in sentiment from the emperor on this subject, was desirous of restoring peace between the courts of Petersburgh and Constantinople, by such means as would preserve his amity and alliance with Russia, which it was his interest to maintain. Frederic had, at the beginning of their disputes, strongly dissuaded the Turks from going to war with Russia; and the disasters that proceeded from not following his advice, gave him great credit with the Ottoman Porte. He dexterously suggested, without any direct proposition, that they should apply for his mediation; which measure they very readily adopted, and when requested to interfere, he advised them also to apply to the court of Vienna. Though not of themselves disposed to solicit the house of Austria to be their umpire, yet, from their great deference to the opinion of Frederic, they agreed. A negotiation commenced; but, from the jarring

alarm Austria and Prussia.

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jarring interests and views of both the principals and mediators, it met with various obstacles, and did not at that time produce a peace. France, accustomed to take so active a share in the disputes of other European powers, was now occupied in disputes between the king and the parliaments, important in themselves, but still more momentous in the spirit of liberty which they exhibited. She was farther distressed by a scarcity of provisions; and her commercial interests were greatly injured by the bankruptcy of her East India company. On the 16th of May, the nuptials were solemnized between the dauphin, grandson of the king, and the princess Marie Antoinette, daughter of the empress-queen, which many years after had so fatal a dissolution.

France: disputes between the king and parliament.

In the course of this year, a dispute arose between Britain and Spain, which had nearly terminated in a war: the ground of the contest was, Falkland's islands, in the south seas. Captain Davis, who, in 1592, had been sent to accompany captain Thomas Cavendish in his last voyage, which proved so fatal[f], having either parted with his commodore, or deserted him on the east coast of South America, was driven by storms toward the Streights of Magellan, where he discovered the land now called Falkland's islands; but being in the greatest distress, he left them without observation, and without giving them a name. Two years after, sir Richard Hawkins being in the same seas, again saw the islands, and in honour of his queen called them Hawkins's Maiden Land. In 1598, Sebald de West, a Dutch navigator, came to the same islands, and supposing himself the first discoverer, called them, from his own name, Sebald's islands. England heard nothing more of them for near a century, so that even their existence was called in question. In the reign of king William, however, Strong, an English mariner,

Dispute between Britain and Spain about Falkland's islands.

[f] See Cavendish's Voyages, in the reign of Elizabeth.

found

found them out, and gave them the name of Falkland's islands.[g] Some other navigators touched at them in the reign of queen Anne, yet they were still reckoned of no importance; from lord Anson's voyage, however, it was concluded that it would be very beneficial to this nation to have a friendly port and place of refreshment much nearer Cape Horn than the Brazils.[h] In 1748, in consequence of the representation made in Anson's voyage, some sloops were sent to examine Falkland's islands, and make farther discoveries in the south seas. Mr. Wall, the Spanish ambassador, having been informed of this expedition, maintained the right of the Spaniards to the exclusive dominion of the south sea, and remonstrated against the destination of these ships; but the British ministry declared, that the examination of the Falkland's islands should be their sole object. Similar remonstrances having been made to our ambassador at the court of Spain, the same intentions were avowed. Falkland's islands were no more thought of till after the peace of 1763; when, as has been already mentioned, commodore Byron took possession of them in the name of king George, and represented them as a much more valuable acquisition than had been before conceived. In 1766, the king of Spain sent some troops from Buenos Ayres to the port which had been occupied by the French, and established a settlement there, to which he gave the name of Solidade Carlier: in the same year, captain Macbride arrived at Port Egmont, situated on a different island, where he established a garrison. It does not appear, that either of these settlements knew of the other before the year 1769; in the November of which year, captain Hunt, of the Tamar frigate,

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[g] His Journal was never printed, but is in manuscript in the British Museum.

[h] This idea was not new to England, though never successfully executed. In the reign of Charles II., sir John Narborough attempted to establish a settlement on the coast of Patagonia; but, though eagerly and liberally supported by the king, he found the design totally impracticable.

cruising

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cruising off the islands, fell in with a Spanish schooner from Solidade: he ordered the vessel to depart from the coast, as belonging to Great Britain. The governor of the Spanish settlement professed to suppose that the English commander was there only by accident; but said, that he had no right to send a command to Spaniards in the king of Spain's own dominions. Captain Hunt asserted the claim of the English, from discovery and occupancy. Reciprocal warnings to quit the islands were frequently repeated during the months of December and January, when captain Hunt departed for England. The governor of Buenos Ayres now sent an armament of five frigates to Port Egmont; but captain Farmer of the Swift frigate, and captain Maltby of the Favourite, prepared to defend the garrison, and warned the Spanish commodore to quit that harbour; adding, he might be convinced that the king of Britain and the British navy were fully competent to exact satisfaction for any insult that should be offered them by Spain, or any other power. The Spaniards, however, landed their troops under cover of cannon, and invested the garrison. The British commanders having thus ascertained the commencement of hostilities by the Spaniards, and being from the inferiority of force totally unequal to defence, offered terms of capitulation; by which it was stipulated, that the English should within a specified time evacuate Port Egmont. Departing from that island, the English captains arrived in England in October. Informed of this proceeding, the British ministry applied to prince Masserano, the Spanish ambassador, who acknowledged that he had heard from Madrid of the transaction; but that Buccarelli, the Spanish governor, had acted without any special orders from his king. Being asked, however, if he would, in the name of his master, disavow Buccarelli's violence; he said, that he could not answer without orders from

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from his court. The British government now directed Mr. Harris, the ambassador at Madrid, to demand the restitution of Falkland's islands, with a disavowal of Buccarelli's hostilities, and in the mean time vigorously prepared a naval armament. The answer of Grimaldi, the Spanish minister, to the first application of Britain, was cold, ambiguous, and unsatisfactory: no particular orders (he said) had been sent to the governor to drive the English from their settlement; but Buccarelli had acted agreeably to the general injunctions of his sovereign, that governors in America should resist encroachments on the Spanish dominions, and therefore had merely done his duty. The court of Spain soon after offered by mutual concession to accommodate their differences; if Britain would disavow the warning given to the Spaniards by captain Hunt, Spain would in like manner disavow the violence of Buccarelli. This proffer was indignantly refused by the court of London; for though captain Hunt had given warning, he had offered no violence; but the Spaniards had committed a hostile aggression; an actual injury had been done to Britain, and must be repaired. The Spanish court persisted in the proposal of reciprocal disavowals; but the English ministers adhered to their first demand, continued their preparations, and at the close of the year, Mr. Harris, the ambassador, was directed to withdraw from Spain. The court of Madrid now assuming a very different tone, shewed itself disposed to conciliation at the expence of concession. Spain was at this time chiefly governed by the court of Versailles; and the duke de Choiseul was desirous of engaging both kingdoms in a war with England, in which he hoped the distracted state of the internal and colonial affairs of Britain might render the house of Bourbon successful, and compensate the disasters of the former war; and that he himself, not having to contend against the counsels of a Pitt, might

Spain, the aggressor, refuses adequate satisfaction;

trusts to the co-operation of France;

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might acquire triumphant glory. But the duke de Choiseul having in the recent disputes shewn himself friendly to the popular party, and having lost the countenance of the king and his mistress, was judged no longer fit to be prime minister, and was dismissed from all his offices. His successor adopted a pacific policy, and this was the principal cause that effected the change in the Spanish propositions.

but being disappointed, offers concessions;

On the 22d of January 1771, prince Masserano delivered a declaration of the king of Spain, disavowing the violent enterprise of Buccarelli, and promising to restore Port Egmont and the fort, with all the artillery and stores, according to the inventory taken before the evacuation. The declaration added: this engagement to restore Port Egmont cannot, nor ought, in any wise to affect the question of the prior right of sovereignty of the Malonine, otherwise called Falkland's islands. Lord Rochford, who had lately succeeded lord Weymouth as secretary of state for the southern department, was instructed by his majesty to answer, that as the court of Spain disavowed the expedition, and bound itself to restitution, the king would look upon that declaration, and the full performance of the engagements, as a satisfaction for the injury.

which satisfy the British court.

America becomes more tranquil.

America was somewhat more tranquil during the present, than in the several preceding years. The want of indulgences, to which they had long been habituated, was severely felt[1], and the inhabitants became weary of their combinations. As soon as they were informed that a considerable part of the noxious act was repealed, they resolved to confine their association to the prohibition of tea. The most violent malcontents, indeed, endeavoured to keep the people to the association, on the extensive principle which had been first adopted, but they could not prevail. The trade of this country with

[1] Stedman, vol. i. p. 7.

America

America began again to flourish; and subsequent to captain Preston's treatment, there was no material disturbance even in Massachusets during that year. CHAP. IX. 1770.

THE discontents at home were still, however, very prevalent, especially wherever the influence or example of the London citizens could operate. The corporation persevered in remonstrating to his majesty; and on the 23d of May they presented an address still more indecent and disrespectful than that which they had delivered before. Common sense must suppose, that they intended to provoke and insult their sovereign, in making an application which contained such strong and devious reasons for rejection and reprehension; an application to which the king could grant no favourable answer, consistently with regard to the honour of his crown, and the rights of his parliament.[k] On the address being presented, his majesty answered, "I should have been wanting to the public, as well as to myself, if I had not expressed my dissatisfaction at the late address. My sentiments continue the same; and I should ill deserve to be considered as the father of my people, if I could suffer myself to make such an use of my prerogative, as I cannot but think inconsistent with the interest, and dangerous to the constitution, of the kingdom." To this answer, Beckford, the lord-mayor, requested leave to reply; a request, which, though unusual and indeed unprecedented, his majesty granted. Having deprecated the displeasure which his majesty had expressed against the London remonstrance, he concluded in terms perhaps the most extraordinary that had ever been used by a British subject to a British king: "Permit me, sire, farther to observe, that whoever has already dared, or shall hereafter endeavour, by false insinuations and suggestions, to alienate your majesty's affections from your loyal

Discontents continue in England.

London addresses the king:

dignified answer of the sovereign.

Noted reply of Beckford the lord-mayor.

[k] See address of the city of London, May 23d, 1770.

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subjects in general, and from the city of London in particular, and to withdraw your confidence in and regard for your people, *is an enemy to your majesty's person and family, a violator of the public peace, and a betrayer of our happy constitution as it was established at the glorious and necessary revolution.*" To this expostulation the speaker appeared to expect no answer, and none was given; and his majesty afterwards intimated his desire, that such an irregular procedure should not be repeated.

MR. BECKFORD was endued with amiable and respectable qualities, though by circumstances and situation led to so very reprehensible a conduct. Possessed of immense wealth; placed in a society wherein opulence was deemed a criterion of excellence; receiving from his associates obsequious devotion, as having arrived at the pinnacle of that eminence which they themselves were respectively seeking, he did not allow their just weight to talents, rank, and high office. Liberal in his donations, splendid in his entertainments, magnificent in his displays of riches, promoting the wishes and designs of the city of London, he acquired popularity even to adoration. Accustomed to such authority over the class of men with whom he was most conversant himself, he expected the same control over others. Highly valuing the city of London on account of its aggregate wealth, its estimation of himself, and adoption of his sentiments and views, he fancied that the intimation of its opinions by him should have irresistible authority. Enraged at finding reproachful and imperious remonstrances to the first personage in the state disregarded, he had proceeded to still more flagrant and arrogant irreverence. Beckford's conduct, by some charged with republican licentiousness, appears much more probably to have arisen from the pride of wealth seeking to overbear rank and dignity, and irritated to rudeness and insolence because it was repressed in its attempt.

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The flame which he had been so instrumental in spreading, raged after his death[1]: very violent resolutions were passed in the common council; another remonstrance to his majesty was framed, and being of a similar tenor, deservedly experienced a similar reception. Petitions and remonstrances flowed from various parts; but, though some of them were by no means decorous, yet none of them rose to the audacity of the London addresses. While popular discontent was industriously kept alive, the ministerial party acquired additional strength in parliament. Mr. George Grenville died in November; and, as the party of which he had been the head, had no longer the same bond of connexion, many of its members joined the administration.

Meeting of parliament.

On the 13th of November, parliament met; and the principal internal subjects which employed its attention, were the liberty of the press, and the rights of juries. Publications arising from the Middlesex election, and censuring the conduct of parliament and administration, had been repeatedly the subject of judicial animadversion. Lord Mansfield, in a charge to the jury on the criminal trial of Woodfall for publishing Junius's letter to the king, had promulgated the following doctrine: "In cases of libels, juries are to judge of the *facts and tendency only*, but not of the INTENTION; and the truth of the allegations cannot be pleaded in abatement of the guilt." Lords Chatham and Camden in the house of peers, and Messrs. Glynn and Dunning in the house of commons, took the lead in reprobating this doctrine as inimical to the constitutional rights of juries, contrary to law, repugnant to practice, and injurious to the dearest liberties of the people. Lord Mansfield endeavoured to defend and justify his conduct: his directions to juries (he affirmed) were not new; he had proceeded according to the practice of the most approved judges of former times, and uniformly

Lord Mansfield's doctrines on the law of libel;

[1] He died June 21st, 1770.

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adopted the same mode himself without any question or censure. Lord Camden denied that such a practice was sanctioned by authority, or that by the law of the land juries were circumscribed within stricter limits in the case of libels, than in any other subject of jurisdiction. An inquiry into the conduct of lord Mansfield was proposed, together with an examination of the legal rights of juries, and motions were made for this investigation in both houses, but were negatived. Lord Mansfield left a paper with the clerk of the house, containing the unanimous opinion of the judges in favour of his doctrines. Lord Camden, on the other hand, pledged himself to prove from law and precedent, that this doctrine, though approved by the judges, was not conformable to the law of England: he proposed queries on the tenets of the paper, and desired that a day might be fixed for discussing this question; but lord Mansfield, thus challenged to a contest of legal disquisition, either doubtful of victory, or deeming the combat imprudent, declined the invitation. The public was left with an impression, that lord Camden's doctrine, certainly more consistent with constitutional liberty, and with the analogy of the general rights of juries to scrutinize intention, as well as to learn mere fact, was virtually admitted to be also conformable to law and precedent. If lord Mansfield could have proved the alleged exceptions in the case of libels, it was conceived that he would have adduced his proofs, in order to prevent future animadversion, as well as to justify his past jurisdiction. Men of ability and knowledge, who, without considering either precedented opinions or practice, merely argued from reason and conscience, could not discover why INTENTION should not be taken into the juridical account in estimating defamatory guilt, when intention was necessary to constitute guilt of every other species.

1770. are controverted by Lord Camden.

Camden challenges the chief justice to a legal disquisition on the subject.

Lord Mansfield declines the contest.

DEFA-

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DEFAMATION was, indeed, never more licentious, than at the present time, on political subjects. One very common expedient of party calumny was, misrepresentation of parliamentary speeches in newspapers, so as to render them either absurd or odious. Two printers[m], alleged to be most culpable in these injurious mistatements, were summoned to the bar of the house, but paid no attention to the intimation. The serjeant at arms was ordered to take them into custody: they were not to be found. Six other printers were commanded to appear before the house on similar charges; five of them obeying, were reprimanded and dismissed, but the sixth[n] still disregarding the notice, was ordered to be taken into custody. The three printers, being severally apprehended in the city, were carried respectively before Mr. Alderman Wilkes, Mr. Alderman Oliver, and Crosby the lord mayor; who not only discharged the printers, but required the officers who had executed the warrants to give bail to appear at the next sessions, to stand trial for assault and false imprisonment. Informed of these transactions, the house was filled with indignation, and the lord-mayor was ordered to attend in his place. The magistrate justified his conduct, on the ground of his oath of office compelling him to preserve inviolate the franchises of the city; one of which was, that by the charters no citizen could have law process served against him, but by the city officers. It was asserted by the commons, that the exemption of the city could not be pleaded against the privileges of the house. This doctrine, invalidating chartered rights, and the act of parliament by which they were sanctioned, being supported neither by precedent nor argument, was strongly controverted in the house, but was admitted by very great majorities. The house directed the records respecting their messenger to be expunged, and all

Prosecution of the printers.

m Thomson, of the Gazetteer; and Wheble, of the Middlesex Journal.
n Miller, of the London Evening Post.

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proceedings to be stopped. With this order, by which one branch of the legislature proposed to suspend the law of the land, the magistrate refused to comply; and Crosby and Oliver were committed to confinement, for what the commons styled contumacy. The city of London, by its proceedings ever since the Middlesex election, was extremely offensive to ministry and its supporters in parliament; and the house of commons in this instance was evidently actuated by resentment, rather than guided by magnanimous and sound policy. Many, who had most severely censured the remonstrances of the city, blamed this procedure against its principal magistrates, as a violent, impolitic, and illegal attack upon persons whose conduct, however deserving of reprehension, did not render such animadversion either wise or just. Indeed, ministers themselves appeared to have thought that they had carried their violence too far. They summoned Mr. Wilkes to repair to the house; but he refused to attend in any other character than as member for Middlesex. They issued orders for his appearance at the bar on the 8th of April; but, aware that he would not attend, they some days before adjourned the house to the 9th. This palpable evasion impressed the public with an opinion, that the commons were now either sensible that they had done what was wrong, or were afraid to do what they conceived to be right. The city of London actively supported its magistrates during these transactions, and insisted that the whole charge of their prosecution and defence should be defrayed by the corporation. Their confinement could only continue till parliament was prorogued, and at the end of the session they were liberated. This imprisonment of the magistrates fanned the popular flame, injured instead of serving the cause of government, and greatly diminished the respect of the people for their representatives. So pernicious is it for either law-givers or judges to deliberate

or decide under the influence of violent passion or prejudice.[o]

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Singular confederacy for bribery in the borough of Shoreham.

A SELECT committee, appointed agreeably to Mr. Grenville's late bill, for determining a contested election for the borough of Shoreham in Sussex, brought to light about this time a remarkable scene of corruption. The returning officer had declared a candidate supported by only thirty-seven voters duly elected, in preference to another who had eighty-seven in his favour. When examined by the committee on what appeared to be so flagrant a partiality, he in his exculpatory evidence established the following facts. The majority of freemen of the corporation had formed themselves into a society which they called the christian club, professedly to promote pious and charitable purposes; and several acts were occasionally performed to accredit their profession. But the real object of the combination was, to sell the borough to the highest bidder, and distribute the money among the pious confederates. Paying to religion that homage which conscience often exacts from men violating its most sacred duties, they bound themselves by solemn oaths to fidelity in their associated villany; and added legal instruments, in bonds with large penalties, to secure their adherents to this illegal engagement. These professed religionists then, without scruple, took the oath against bribery and corruption. The returning officer had himself belonged to the club, but, being disgusted with their conduct, had quitted their party. Aware of their principles and established practice, he, by vigilance, ascertained, and was able to prove, that a sum of money had been distributed among eighty-one of the majority, whose votes, therefore, in his return he had not estimated. The officer was censured for his assumption of illegal power; but, the facts being proved, a law was made,

[o] See, in Sallust, Cæsar's speech on the punishment of the conspirators.

incapaci-

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incapacitating the eighty-one freemen from voting at elections.

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Opposition censure the terms admitted from Spain.

Of external politics, the only important subject of discussion this year was, the satisfaction offered by Spain concerning Falkland's islands, and accepted by this country. According to opposition, the proffer of Spain, accompanied with the reservation of a right to the subject in dispute, was neither a satisfaction for past injury, nor a security against future. We had been obliged to prepare armaments, which cost us three millions sterling; and it was strictly just, that Spain should indemnify us for an expenditure which originated in her aggression, and increased to its present amount by her reluctance. The convention had procured no recompence for this enormous expence; but even as a restitution, Port Egmont, and not all Falkland's islands, had been ceded; whereas our right to the whole was as clear as to that part. Although the court of Madrid had disavowed the act of hostility as proceeding from particular instruction, yet she had justified it as implied in her general directions to American governors. Ministers ought to have demanded the disavowal of this general order, and of the exorbitant and absurd claim to exclusive dominion in the south sea, on which it was founded. By the law of nations, and even by the treaty of Utrecht, we were entitled to demand the punishment of Buccarelli: we ought also to have exacted the complete settlement of the Manilla ransom: in short, the agreement, neither complete nor decisive, contained the seeds of future hostility. Ministers replied, that the claim to Falkland's islands had never been allowed by Spain. Our people had really given the first insult, by warning the Spaniards to depart from an island which they considered as their own. Spain had given up the British settlement and property which her officers had seized; and what more could be expected from the

the most successful war? Indemnification for expence, was a redress which, in modern treaties of peace, it was very unusual for a victor to demand. We had supported and satisfied the honour of England; and our dignity being secure, our interest required that we should live upon the most amicable terms with a country with which we had the closest commercial ties. War with Spain would soon have joined France in the same cause, more closely have cemented the alliance between these powers, and involved us in hostilities with the whole house of Bourbon. They accused opposition of a desire to embroil this country in a war with Spain, in hopes that some disaster might ensue, which would expose administration to the public resentment, and drive them from office.[p] A great majority of both houses, after very violent debates, declared their approbation of the convention with Spain.

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The discussion of this subject incidentally caused a disagreement between the two houses, which lasted through the whole session. Before the adjustment was completed, the duke of Manchester made a motion for an address to expedite our preparations, recommending at the same time certain dispositions of our forces. Ministers thinking these discussions not prudent before strangers, of whom there was a great number in the house, proposed that the house should be cleared. There happened at this time to be several members from the other house attending with a bill, and these were included in the order for departure. The commons considering this procedure as derogatory from their dignity, gave a similar order for exclusion, without the exception of peers. The misunderstanding, for the three last months of the session, prevented all in-

[p] This charge, though advanced in parliament, was much more explicitly detailed in ministerial writings, and especially in Dr. Johnson's celebrated pamphlet upon Falkland's islands.

tercourse

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tercourse between the houses, except in mere matters of business; and, to the great disappointment and displeasure of the public, excluded all others from both.

Supplies.

THE supplies, which were granted this session under the apprehension of a war with Spain, were liberal. The ways and means were, a loan of 1,800,000*l.* on exchequer bills; an increase of land-tax to four shillings; a lottery; the surplusage of the sinking fund; a small tonnage upon shipping; with additional duties on tobacco, teas, spirits, wines, and other foreign goods. These taxes, chiefly affecting luxuries, met with little opposition or animadversion. Indeed, this budget manifested merely common official experience, and neither proved the minister to possess, nor to want, financial talents. Parliament being prorogued on the 8th of May, closed a session more remarkable for the contentious violence of its debates, and the passionate heat of its propositions, than for the wisdom of its deliberations, or the importance of its decrees.

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State of the colonies. — Effects of Lord North's conciliatory attempt. — Striking diversity of sentiment and spirit between New England and other colonies — is not sufficiently regarded by ministers. — Discontents in England begin to subside. — Meeting of parliament. — Petition for exemption from subscribing the thirty-nine articles. — Opposed by one class on grounds of theological principle — by another on political expediency. — Petition of the dissenters. — Haughton's bill for the relief of the dissenters is passed the house of commons, but thrown out by the lords. — Clerical nullum tempus bill is rejected. — Law for restricting the marriage of the royal family. — Arguments against it — for it — passed. — East India affairs. — Supplies. — Session rises. — Death of the princess dowager of Wales. — Operations between Russia and Turkey. — Scheme of Frederic and Catharine for partitioning Poland — offer Austria a share — she objects to the inequality of the division — her scruples are vanquished by a larger distribution. — Dismemberment of Poland. — Revolution in Sweden. — State of Denmark. — Incapacity of the king. — Character and conduct of the queen. — Artifices of the Queen Dowager. — Struensee. — Accusation and arrest of Matilda. — Remonstrances of the court of London. — His Britannic majesty demands and rescues his suffering sister — and affords her an asylum in his German dominions.

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1771. State of the colonies.

THE act of 1770 did not fully satisfy the wishes of the American people; in most of the colonies, however, its influence was so great, that during 1771 tranquillity prevailed. There were, indeed, in all the provinces demagogues, who strenuously endeavoured to convince their countrymen that the repeal had been extorted by resistance, and not conceded by justice; and that therefore they ought to persist in opposing British government, until every disagreeable law should be rescinded. But the middle and

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Effects of lord North's conciliatory attempts.

and southern colonies, now not actually feeling any grievance in the operation of the duty, were not to be disturbed by abstract claims, and a general calm succeeded to the late ferment. New England, however, and especially Massachusets Bay, was far from being equally quiet. The establishment of a board of customs, necessary for the effectual execution of the navigation act, and the activity of the navy officers in preventing contraband practices at the beginning of their opposition, had not been an ostensible subject of dissatisfaction; but they now expressed their sentiments openly against customs. In an address to the governor on the 5th of July 1771, they declared customs to be a tribute extorted from those who had a right to the absolute disposal of their property; and the principle now assumed, was a disavowal of the supremacy of Britain, which from the first establishment of the colonies had been acknowledged in America. The other provinces had objected to taxes, as an unconstitutional innovation; they asserted the claims of British subjects, and as British subjects required redress. The colonists of Massachusets spoke and acted as members of independent communities; and the general tenor of their conduct manifested a disposition to separate from Great Britain as soon as a favourable opportunity should offer. The concessions which tranquillized their southern brethren, only served to render those turbulent republicans more insolent and violent. Ever since the removal of the troops, they had insulted, attacked, and abused the custom-house officers, and other servants of the crown; and demonstrated that nothing would restrain them from injustice and tumult, but an armed force. Had the British ministry accurately studied the diversity of provincial character, and employed able, popular, and eloquent men, to court and conciliate the southern and middle colonies, counteract the arts of the northern emissaries, and detach the votaries

The diversity of sentiment between New England and the other provinces,

is not sufficiently regarded by ministers.

votaries of monarchy from the abettors of republicanism, it is by no means improbable that they might have prevented the revolt from being general; and if they had effected that great purpose, they would have had little difficulty in compelling, by vigour and decision, the democratical agitators of Massachusets to perform the duties of British subjects: but no such experiment was tried. Lord North appears to have formed no comprehensive plan for the government of America: but to have satisfied himself with devising temporary expedients for removing particular discontents, as they shewed themselves in overt acts of sedition and violence, without investigating principles and causes, or framing any general system either of conciliation or coercion.

The discontents in England begin to subside.

In England, hostility to government became less violent. The city of London, indeed, persevered in imperious expostulation with the sovereign; while the king had the magnanimous patience to answer insolent rudeness with mild politeness, and gave a very temperate though decisive denial, including a poignant censure for so frequent a repetition of such an absurd address. The discontents of the metropolis, however, were diverted by a schism between Wilkes and some of his late supporters; especially Mr. Horne, afterwards so noted as a politician, and eminent as a philologist. These private disputes long occupied the adverse champions, and filled the press: though their causes and details be of no historical importance, yet their existence requires to be mentioned, since they tended to the diminution of those inflammatory proceedings which so long had disturbed the public peace. In other parts, the dissatisfaction became more languid in its efforts; its outrageous violence seemed to be passed; and though in some places it manifested a gloomy sullenness, yet, on the whole, a dawning prospect opened of returning tranquillity.

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1771. THE situation of affairs abroad contained no grounds of apprehension respecting the peace of Great Britain: Spain had fulfilled her engagements by restoring Port Egmont; and France continuing the scene of internal disturbance, which was heightened by the profligate and odious character of the duke d'Aguillon (now favourite and prime minister), appeared to be without any intention of annoying her neighbours. Eastern Europe was occupied either as actors in hostile scenes, or very vigilant and interested spectators. The year 1771 was therefore favourable to internal and colonial quiet, and threatened no interruption from abroad. Ministers acquired fresh accessions from the party of Mr. Grenville; besides, members of other connections were now tired of opposing an administration that appeared to them firmly established.

1772. Meeting of parliament. ON the 22d of January 1772 parliament assembled; and the first day's debate shewed much less of asperity and acrimony, than the prelusive efforts to the contentions of the former sessions. The business of importance which earliest in the session engaged the attention of parliament, was a motion of ministers for voting twenty-five thousand seamen for the service of the current year. The French, it was said, had sent a strong fleet to India, it was therefore necessary for England to send thither a still more powerful force; the Spaniards had also a considerable armament in the West Indies, it was requisite for this country to over-match them in that quarter; and the war between the Turks and the Russians rendered it proper to employ a stronger fleet in the Mediterranean than was wanted in the time of peace. Opposition contended, that the force was greater than the exigency of the country demanded; but they suffered the motion to be carried without any division.

EARLY in this session came before parliament, for the first time, a subject which has since been very frequently

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1772. Petition for exemption from subscribing the thirty-nine articles;

frequently agitated, and has produced a vast variety of literary and political discussion. On the 6th of February, a petition was presented to the lower house, from some clergymen of the church of England, certain members of the learned professions of law and physic, and others, praying to be relieved from the necessity of subscribing the thirty-nine articles. Men had an inherent right, they said, held from God only, and subject to no human authority, to use their own judgment in the interpretation of scripture. This natural right, they affirmed, was recognized by the original principles of reformation. Such a privilege belonging to them as men and protestants, was violated by the imposition of subscriptions to certain articles of faith, that did not flow from Christ and his apostles, but were drawn up by human beings as fallible as themselves. These subscriptions were farther represented as a great hindrance to the diffusion of true religion, by discouraging the study of the real sense of the scriptures, and creating animosities among fellow-protestants: the diversity of opinions held by the established clergy concerning some of the articles caused dissensions, and the disputes among professed believers encouraged infidelity. The petitioning members of the two other learned professions complained, that they suffered peculiar hardships in being obliged, at their first admission to the university *(matriculation)*, when so immature in age and knowledge for deep disquisitions, to subscribe to a variety of theological propositions, in order to attain academical degrees in their respective faculties, while their opinions on those subjects could be of no consequence, either to the public, or their employers in their professions. The supporters of the petition argued on the advantages of extending religious toleration; and endeavoured to shew, that the articles were in some parts contradictory, and in others totally indefensible. They

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enlarged on the principal topics set forth in the petition itself; and concluded with observing, that, on granting the requested relief, many of the dissenters, being no longer deterred by articles, would join the established church.

is opposed by one class, on grounds of theological belief;

By two classes was this petition opposed: the one consisted of the tory and high-church gentlemen, who considered the thirty-nine articles as the bulwark of the church of England, and of christianity itself. In the last century, the church, and with it the state, fell, through such innovations. Parliament, they contended, could not grant the desired relief, because it could not annul the obligations of an oath. The king could not comply with their petition, as he was bound by oath to preserve the established church; a compliance would also be a breach of the articles of union, as by them it was stipulated, that the ecclesiastical governments of Scotland and England should continue for ever unchanged. Writings of late had appeared, inimical to the most important articles, not only of the church of England, but of the christian faith: they had denied the doctrines of the trinity, and the divinity of our Saviour; and thus endeavoured to remove the corner-stone of our religion: by granting the petition, therefore, we should admit unitarians and other heretics to be clergymen of the church of England.

by another, on political expediency.

A GREATER number of members opposed the petition on political grounds.[a] They vindicated its advocates from the charge of heretical opinions; they maintained, that the legislature had still a control over the articles of union, and had exercised that control towards the two churches; in England, by an act against occasional conformity; and in Scotland, by an act annulling the popular election of clergymen. Every society, they observed, is competent to determine the qualifications of its members; all governments have a right to consti-

[a] Parliamentary Debates, 1772.

tute

tute the several orders of their subjects, to ascertain that the principles and characters of persons employed in any trust be such as will most effectually answer the purposes of those trusts. The office of public instructors of the people in virtue and religion, requires a careful examination of the capacity, dispositions, principles, and opinions of the persons proposing to officiate. The clergy being intended to teach the nation, it is expedient that there should be an uniformity of established doctrine, the chief tenets of which every clergyman should admit. Admissibility to the clerical, as well as to any other public office, is a question of expediency; and this is no hardship: a candidate has the alternative, of refusing either the employment, or subscription. Physicians and civilians are in the same predicament, required to subscribe certain articles, or not to become members of an English university. It is found expedient that there should be a national church for the preservation and promotion of christianity, and for the welfare of society. These articles are considered by the legislature as conducive to the purposes in view; therefore law-givers ought to require the admission of them in the holders of employments which are connected with the objects of that national church. On these strong and comprehensive grounds of equitable policy, many enlightened senators, who were not votaries of the high-church doctrines, joined in defending our ecclesiastical establishment against innovation. The majority against the petition was two hundred and seventeen to seventy-one.

In the course of the debates, not a few of the opposers of the petition had expressed an opinion, that though it was just and reasonable to require subscription from persons proposing to be clergymen in the established church, and to derive profit from the priesthood, it was hard to oblige dissenting ministers to subscribe the *doctrinal* articles of the

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church, from which they sought neither promotion nor emolument. By the act of toleration, dissenters were allowed to exercise divine worship according to their own sentiments, if their ministers subscribed all the articles of the church except those which relate to discipline. When that act was passed, dissenters were as warmly attached to the Calvinistic doctrines of the articles as churchmen themselves, and readily subscribed them as required by law. During the last two reigns, it had appeared that Arianism and Socinianism became very prevalent: few of the dissenters for many years had subscribed the articles, and thus were liable to penalties, though from the liberality of the age, and the lenient government of the house of Brunswic, these were very rarely inflicted.

Houghton's bill for the relief of dissenters,

Sir Henry Houghton made a motion to relieve the dissenters from subscriptions and the penal laws, but was warmly opposed by the high-church gentlemen. The dissenters, it was said, by omitting to subscribe, had violated the law of the land; and the transgressors, not satisfied with being excused, desired the law to be changed in order to accommodate a change in their opinions. A total exemption from subscription would open the way to heresy and infidelity. The dissenters were a respectable body, and a certain regard was due to their opinions; but the present bill, instead of proposing the mere relief of non-conformists, was a project for encouraging schism, and ultimately destroying the church of England; many of the dissenters now maintained doctrines totally different from those of former times, and were inimical to the church of England, to the protestant religion, and to true christianity: to encourage such men, therefore, would be equally contradictory to sound policy, and to the interests of the established faith. The supporters of the bill contended, that subscriptions, while they operate against the pious and conscientious, are no restraints

on

on the impious and wicked. The sectarians were charged with having deviated from the theological opinions of their predecessors; but in all ranks of a community advancing in knowledge and civilization, the more understandings were exercised, the greater would be the diversity in the result of different efforts. That some individual dissenters held principles inimical to christianity, might be true; but the charge against them as a body, was totally false: they had been uniformly the friends of civil and religious liberty, had supported the British constitution, the establishment of the house of Brunswic, and all those principles and measures by which our constitutional rights were upheld: they had moreover supported the christian faith against its most ardent impugners; and such men certainly deserved to enjoy something more than mere impunity by connivance. By toleration, christianity had flourished; by intolerance, the number of believers had been lessened[b]: let protestants be united, that we may be the better able to make head against infidels. These considerations induced a great majority in the house of commons to vote for the bill; but in the house of lords the bishops exerted themselves so strenuously against an indulgence which they conceived and represented to be dangerous to the church, that the bill was rejected by no less than a hundred and two to twenty-nine.

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passes the commons,

but is thrown out by the lords.

During this session also, another bill was proposed on an ecclesiastical subject, intitled the church *nullum tempus* bill; the object of which was analogous to the purpose of the crown *nullum tempus* law, to secure land-possessors against dormant claims of the church. On the part of the church it was answered, that the power of reviving claims was necessary to prevent the laity from effecting those encroachments which they were always desirous of making upon the clergy. The proposed bill would

Clerical nullum tempus bill,

[b] Burke's speech on sir Henry Houghton's motion. Parliamentary Debates, 1772.

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be peculiarly injurious to the poor clergy, whom great land-holders, and combinations of rich farmers, were very much disposed to oppress. The supporters of the bill replied, that its provisions guarded against the alleged inconveniences; and they defied its opponents to prove that the laity did oppress the clergy. Ministers, desirous of gratifying the hierarchy, were very inimical to a bill which tended to abridge clerical power. To independent members, however, it appeared so reasonable, that notwithstanding the influence of administration, the majority by which it was negatived was very inconsiderable.

is rejected.

WHILE parliament was occupied in examining the extent and boundaries of religious indulgence, and admitting the equity and wisdom of liberal toleration prevented it from entrenching on the establishment, a subject was submitted to their deliberation, which involved the most important duties of morality, and the closest ties of civil society: this was a bill for restraining the royal family in the momentous engagement of marriage; the proposition of which arose from the following incidents. The duke of Gloucester had espoused the countess dowager of Waldegrave; and the duke of Cumberland, Mrs. Horton, a widow, and daughter to lord Irnham. These marriages, which had been concluded clandestinely, gave great dissatisfaction at court. On the 28th of February, the king sent a message to both houses of parliament, importing, that his majesty thought it would be wise and expedient in parliament to render effectual the right which had always belonged to the kings of this realm, of approving all marriages of the royal family, to supply the defects of the law now in being; and, by some new provision, more effectually to guard descendants of his late majesty (excepting the issue of princesses affianced into foreign families) from marrying without the approbation of his ma-

Law for restricting the marriage of the royal family.

jesty, his heirs or successors. In consequence of this message, a bill was brought into the house of lords, for rendering all the descendants of George II. (with the exception above-mentioned) incapable of contracting marriage without the consent of the king, or his successors on the throne, signified under the great seal, and declared in council. There was in the bill, however, one deviation from the tenor of the royal message; for, if such descendant, after passing the age of twenty-five years, gave the privy council twelve months previous notice of his intended marriage, unless both houses of parliament within that time declared their disapprobation, it might be valid without the royal consent. The bill was strongly opposed by both houses, on grounds of law, policy, and morality. It was denied that the power declared in the preamble to have belonged to the king, actually did constitute part of the royal prerogative in the extent now claimed; as a fact, it was not to be found in our history [c]; nor as law, in our statutes, precedents, or the opinions of our judges. The declaration of law was, besides, either useless or hurtful: if intended to have no retrospective operation, it was frivolous and unnecessary; if designed as a retrospect, it was iniquitous. The descendants of George II. might in time comprehend great numbers who were dispersed among the various ranks of civil life; and thus many families would, in their most important engagements, become dependent on the crown. The time of nonage too, was by this law lengthened beyond just limits; it was disrespectful to the royal offspring to suppose that they did not arrive at intellectual maturity so soon as other subjects; and it was farther absurd, that when at eighteen a prince or princess was deemed qualified to govern a kingdom, they

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Arguments against it;

[c] The instances adduced by the supporters of the bill did not prove the assertion of a legal right in the king to interfere in the marriage of his relations, they shewed only the influence of the sovereign's authority, which inclination or prudence induced his family to regard.

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should not till twenty-six be fit to contract a marriage. The discretionary power, wherever vested, of prohibiting any marriage, was a violation of the inherent rights of human nature, founded on the strongest propensity implanted in man for the best of purposes. No legislature was competent to the annihilation of this right. It had, moreover, a natural tendency to rouse a disputed title to the crown; for, should those who might be affected by it be in power, they would procure a repeal of the act, and consequently produce a contest with the next heir under that law; should they not be in power, they would still excite compassion and indignation among those who must think them aggrieved by such a restriction, and hence dissension and civil war would ensue. The prohibition was also contrary to morality; for, as far as it reached, it was calculated to promote debauchery, seduction, and other vices, which marriage tended to prevent. Depriving those personages of the highest blessings of life, partners of their own approbation and choice, it drove them, in the unavoidable course of human passion, to illicit connexions, to concubinage, to promiscuous intercourse; and if it did not justify, at least palliated, in individuals so restricted, deviations from strict and rigorous virtue, much more than in any other subject not so circumscribed.[d]

arguments for it;

By the supporters of the bill it was argued, from a variety of cases, that the kings of England always possessed the power now declared. Ten judges had, in 1717, delivered an opinion, which admitted the king's right to direct the marriage and education of the royal family. The judges, when consulted concerning the present bill, had determined, that the power claimed belonged to the king, as far as respected the marriages of his children, grandchildren (unless the issue of foreign families), and the presumptive heir of the crown. It was farther

[d] Parliamentary Debates, 1772.

observed,

observed, that the dishonour reflected on the crown by improper alliances, and the evils experienced formerly by the nation from the intermarriage of the royal family with subjects, rendered it necessary to guard in future against either derogatory or dangerous connexions. The sovereign is the natural guardian and judge of the honour, dignity, and conduct of his family. The subjects of the bill might in time greatly increase in number, yet it was not to be supposed that the sovereign, in the multiplicity of momentous affairs, would interfere beyond his near relations, or other probable heirs; but should future inconveniences, not now forseen, arise from the bill, the legislature was always competent to apply a remedy. The bill was passed by a considerable majority; and from this time no marriage concluded by a descendant of George II. under twenty-six years of age, without the consent of the king, or of both houses of parliament after that age, is lawful. Whether the law be wise or unwise, is another question; but the fact is, that without compliance with this statute, no person so circumstanced can be lawfully married, nor have legitimate offspring.

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is passed.

East India affairs.

THE attention of parliament was also called this session to East India affairs. It was generally acknowledged, that great abuses prevailed in the administration of the company's possessions; but the extent of the evils was not hitherto ascertained in either house. The company was aware of the very flagrant delinquency that existed among its servants, but was desirous of retaining in itself the means of correction and future prevention. The directors were far from wishing the interference of government, and much alarmed by the doctrines that had been advanced concerning their territorial possessions; knowing too, that the misconduct of their servants afforded to government and to the legislature very strong reasons for taking an active concern

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concern in the territorial administration of British India, they were very desirous of making it appear that they were themselves competent to the task. Admitting the abuses by their servants, they pretended to have discovered the causes, and proposed, by removing them, to apply effectual remedies. They had, they said, hitherto allowed too much power to their servants, and now proposed to reduce executorial authority, and to extend their own. For this purpose, Mr. Sullivan, the deputy chairman, proposed in the house of commons a bill for the better regulation of the company's servants and affairs in India, by restraining the governor and council from every species of trade, entirely changing the court of judicature and mode of administering justice in Bengal, and restricting the power of the executive servants. In supporting his motion, he severely attacked lord Clive, as the principal transgressor. Lord Clive, defending himself and retorting on the company, imputed the chief abuses to their misconduct and violence: reciprocal recrimination produced from both very minute and copious details, which confirmed other members in their opinion that there existed flagrant delinquency. Ministers, without discussing the charges of either party, expressed their fears that the evils were too deep and extensive for the bill to remedy: and it would, they said, be premature to form any plan of correction and prevention, before inquiry should be made as to the actual state of affairs. The bill was rejected: a select committee of thirty-one was soon after appointed to inquire into the nature and state of affairs in India; and this committee found the subject of their enquiries so very extensive and complicated, that they asked and obtained leave to sit during the recess.

Supplies.

On the 1st of May, lord North entered on the business of ways and means; and shewed that, after providing for the service of the current year, the nation,

nation, without fresh taxes, was able to pay off two millions and a half of three per cent. annuities, then at ninety; he also enlarged on the prospect of peace, which he said might be reasonably expected to last ten years, and would liquidate a considerable part of our debts. Besides, even should peace be broken, *Lord North professed himself* such an œconomist, as to be able to carry on war without the addition of new taxes.* The house was pleased with the flattering picture, and the minister acquired great credit with parliament and the country for his financial ability. As the English are by no means averse from war, many were delighted with the notion that they were blessed in Lord North with a statesman who could beat their enemies without troubling them for farther contributions. In his plan of reducing the national debt, they anticipated the reduction of their present taxes, and he now by fair promises began to acquire considerable popularity and reputation; but the chief foundation of lord North's fame at this time was his *œconomy*.

Session rises.

A SESSION, which, by its moderation, afforded a striking contrast to the preceding years of the present parliament, ended on the 9th of June. During this session, on the 8th of February, died the princess dowager of Wales. Her royal highness was of an amiable private character, and had long been highly esteemed and beloved by the British nation. During the latter part of her life, the sentiments of many persons had been changed, from surmises that rested on no certain grounds. When our present sovereign ascended the throne, it was alleged that, possessing great influence with a son of the warmest filial affection, she interfered in public affairs, and held the chief direction of the secret cabinet, which, according to the political hypothesis of popular speakers and writers, commanded all the ostensible ministers. A precise and definite motive

Death of the princess dowager of Wales.

* See Parliamentary Debates, May 1st, 1772.

Was

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was assigned for the supposed efforts of this imputed influence; the opposition to Mr. Pitt in the council; the dismissal of the whig party; the peace; the prosecution of Wilkes; the taxation of America; the Middlesex election; and the promotion of the Scotch: in short, every act disagreeable to the people of England was ascribed to a secret power flowing from the princess and a junto of her favourites. Though this theory was very generally received, yet an authentic historian, having neither oral nor written testimony, cannot record as a fact the existence of such an influence. It is, however, his duty to mention such generally-believed rumours, or conjectures, as have a great influence on the period concerning which he writes. That such a report and apprehension greatly influenced the popular notions of the first ten years of the reign, is very evident; but that neither the votaries of the opinion nor the spreaders of the rumour have adduced evidence to confirm the truth of their assertion, is equally certain. Having therefore *no proof of the fact*, I cannot, consistently with sound philosophy, assign this influence as the CAUSE of the many evils which have been so often ascribed to it both in and out of parliament. In estimating the character of the princess dowager, I cannot therefore allow weight to her alleged interference in public affairs. Her highness was eminent for her private virtues in the various relations of life: as a wife, a mother, a mistress of a family, an exalted member of society, her conduct bore the manifest marks of benevolence and propriety; and in none of her sentiments or actions did she give the slightest indication of her being actuated by the dispositions which are assumed by political partisans.

Operations between Russia and Turkey.

THIS year war was replete with important events on the continent of Europe. The Russians in the campaign of 1771, although ultimately successful

on the Danube, did not obtain such signal advantages in that quarter, as were expected from their progress in the two former years. In Crim Tartary they were decisively victorious, and reduced the whole Peninsula, and in the Mediterranean they annihilated the commerce of Turkey. Negociations were renewed in winter under the mediation of the courts of Berlin and Vienna, but were not brought to the desired conclusion. The Austrians were jealous of the progress of the Russians, both in Turkey and in Poland. They protected the confederates as far as they could, without openly manifesting hostility to Russia, or giving umbrage to Frederic. At length, Maria Teresa made claim to the Polish district of Zips, on the frontiers of Hungary, and in autumn 1771 invaded it with a powerful force. The empress of Russia, enraged at the invasion of Poland, said to prince Henry of Prussia, who was then at her court, *If Vienna attempt to dismember Poland, neighbouring states must imitate her example.* This observation perfectly accorded with Frederic's ideas. His troops had that very year entered Poland, under pretence of forming a cordon, to prevent the infection of the plague from spreading to his dominions; and his army had afterwards advanced, on the pretext of relieving the inhabitants from the oppressions of the confederates. By Frederic's orders, his soldiers had for these services exacted enormous contributions from Polish Prussia, and especially from the city of Dantzic; and this plunder of communities at peace with Frederic, was sent to his treasury. The present overture was only a proposal for another robbery on a larger scale. Frederic lost no time in inquiring whether Catharine was sincere; and being assured that she was serious, he drew up a plan of dividing Poland between the three powers; very skilfully and considerately partitioning the territories, so as to give each of the partners the share respectively most

Scheme of Frederic and Catharine for partitioning Poland.

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most contiguous and convenient. This participation he concerted with Catharine, before he communicated the project to Austria. Russia was to have all that territory which extends on the eastern side of the Druce and the Dwina, from the gulph of Riga to the Ukraine; Austria was to have the offer of Ludomeria and Galicia, on the confines of Hungary; while the king of Prussia, for his share, was to receive Pomerellia; which, besides other advantages, joined together Pomerania and Prussia, and thus, instead of two detached, gave him three compact, provinces. Having settled this plan with Russia, Frederic next proposed it to the imperial minister; thinking it so advantageous, that it would certainly be accepted. Prince Kaunitz, the Austrian minister, at first made strong objections to the division, BECAUSE[f] it would be next to impossible to agree on terms of perfect equality. In an affair of such a nature, as Frederic observed[g], *it was no time to be discouraged by trifles.* Catharine and he therefore intimated an alternative to Austria, if she would not agree to the division, they would go to war with her, without allowing her any share; but if she would become a willing party, a larger seizure of Poland should be made, to suit *her ideas of equality.* Austria at last consented; a treaty was concluded, and each of the three acquired a greater portion than was originally intended. Having thus on friendly terms arranged the seizure of territories belonging to neither, they thought proper to intimate to the proprietors the proposed spoliation. A joint manifesto, drawn up by the three powers, set forth the troubles excited in Poland on almost every vacancy of the throne, and the friendly offices of the court of Petersburg in rectifying many abuses in the constitution of that republic. The court of Berlin

Offer Austria a share.

She objects to the inequality of the division.

Her scruples are vanquished by a larger distribution.

[f] See the king of Prussia's Memoirs of himself; from which the greater part of our account of this partition is comprised.

[g] See the Memoirs.

claimed

claimed the credit of having seconded these generous acts; and Austria had chosen neutrality, as the means of promoting the active efforts of Catharine and Frederic. From the wise and benevolent policy of her beneficent neighbours, Poland had every prospect of prosperity, peace, and happiness; but a spirit of discord had counteracted these efforts, and to re-establish tranquillity in Poland, Russia, Austria, and Prussia found it necessary to place the ancient constitution of the kingdom, and the liberties of the people, on a sure and solid foundation. They had respectively considerable claims on the republic, which each would be ready to justify, in time and place, by authentic records and solid reasons. Meanwhile, having reciprocally communicated their several claims, and being mutually satisfied of their justice, they had determined to secure to themselves a proportionable equivalent, by taking immediate and effectual possession of such parts of the territories of the republic, as might serve to fix more natural and sure bounds between her and the three powers.[h] The confederate partitioners did actually specify their pretensions, but without adducing any proof. The court of Warsaw answered[i] these denunciations by just and conclusive reasoning, founded on the plainest principles of jurisprudence, equity, and moral rectitude; demonstrating, from the law of nations and many particular treaties, the claims of the three powers to be totally unfounded, and their proceedings to be contrary to all lawful rights. Little availed the remonstrances of justice against determined ambition, aided by resistless force. The confederate powers commanded the Polish king and republic to assemble without delay a diet to ratify their claims.

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The king and senate applied to the courts of London, Versailles, Madrid, and the United Provinces, to interfere in their favour; but from the weakness,

[h] See State Papers, 1772. [i] Ibid.

distance,

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distance, or internal dissensions of these states, the applications were unavailing. Britain and France, indeed, remonstrated, but without effect. Deserted by the rest of mankind, and surrounded by powerful enemies, the Polish king and his council were necessitated to convoke a senate, in order to summon a diet for the purpose of formally authorizing usurpations which the force of the usurpers had before effectually confirmed. In the respective specifications of the partitioning powers, Austria was the most insolent, imperious, and full of threats; Catharine, the most moderate, plausible, and abounding in promises; and Frederic, the most learned, acute, and replete with ingenious pretexts.[k] They now respectively prepared to take possession of their booty; and Frederic, much more active than Austria, and less occupied than Russia, first secured his division, and added to the seizure, part of Dantzic, including the harbour and port duties; and afterwards the remainder, though it constituted no part of his pretended claim upon Poland.

Dismemberment of Poland.

Revolution in Sweden.

THE influence of Frederic, however, was not confined to the scene of his power; for a revolution happened this year in Sweden, to which he greatly contributed. In early ages, the Swedes, like most other hardy and gallant inhabitants of the north, were free. From the time of Gustavus Vasa, there had been a fluctuation of constitutions, in which the aristocracy, or the king, were alternately paramount, and the people enjoyed very little share of power. Under Charles XII. the government was despotic; but his sister and heir, Ulrica, was obliged to suffer the aristocratical domination to be re-established; and Frederic and Adolphus were not able to triumph over the Swedish nobles. Adolphus dying in 1771, was succeeded by Gustavus, his eldest son by the sister of the Prussian king. Gustavus, on his accession to the throne, made the most ardent protesta-

[k] See the respective manifestoes; State Papers, 1772.

tions

tions of love for liberty; professed that he thought it the chief glory of a king to reign over a free people; subscribed the declaration of rights, and added articles for absolving his subjects from their allegiance if ever he should infringe the contract. At his coronation, he made a speech concluding with a prayer to God, *that ambition might not disturb the freedom and happiness of the state.* Notwithstanding his solemn oaths, however, this prince had concerted a project for becoming absolute. Aided by his two brothers, and trusty officers, he gained over the army to his interest; with the greatest art and success he courted popularity, while his emissaries no less actively rendered the people discontented with the senate and established government. He was assured of the support of his uncle; and indeed, both in the formation and execution of his plan, he displayed ability and vigour not unworthy of a nephew of Frederic. The scheme being ripe for execution, on the 19th of August Gustavus totally overturned the constitution, which less than three months before he had sworn to maintain, and engaged to support, as the indispensable condition of his admission to the regal office. Being master of all the military force at Stockholm, he surrounded the senate, and made the members prisoners. The diet was commanded to assemble; and, encompassed by fixed bayonets, the king ordered a new form of government to be read. The members, so situated, signed whatever was proposed, and took the oath which Gustavus himself dictated. He then drew a book of psalms from his pocket; and, taking off his crown, began to sing to the praise of God, the assembly joining this pious prince in his sacred music. He afterwards informed them, that he should in six years convene the assembly of the states.[1] Thus the

[1] Mr. Charles Sheridan, British envoy at Sweden, published a very accurate account of this extraordinary Revolution. Its heads are compressed above in the text.

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year 1772 was an æra of usurpation; by Gustavus in his own kingdom, and by his neighbours in the kingdom of another.

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State of Denmark.

A CHANGE this year took place in Denmark, which, by affecting a British princess, strongly agitated and deeply interested the loyal and generous hearts of Britons. Christian, king of Denmark, was the son of Frederic V., by Louisa, daughter of George II. The queen died in early youth, and king Frederic afterwards married a German princess, by whom he had a son, named Frederic. This queen was a woman of great artifice and ambition. As her son was heir in default of his brother, the queen dowager had been averse from the marriage of the young king.

Incapacity of the king.

Christian was a prince of very weak understanding, and sunk by habits of debauchery below his natural insignificance.

Character and conduct of the queen.

Matilda, though not sixteen years of age when she arrived in Denmark, immediately manifested to Julia Maria, the queen dowager, an intelligence and sensibility, which, she did not doubt, must discern the incapacity, and feel the misconduct, of her husband.

Artifices of the queen dowager.

She therefore formed a project of sowing discord between the new-married couple, which she trusted would end in a separation, and promote her views in favour of her son. For this purpose she played a double game; she employed her minions to ingratiate themselves with the king, and to encourage him in his vices; while she informed the queen of his defects, and professing a great friendship, declared that every thing in her power should be done for his reformation. Meanwhile, the silly monarch persisted in his usual course; the queen dowager contrived to have a mistress thrown in his way, whom he kept openly in the palace. Matilda, possessing great sagacity, easily discovered both the designs and motives of the treacherous dowager. Anxious for the welfare of her infant prince, she, for the sake of theson, overlooked the folly of the father; and soon procured

such

such influence, as to attain the chief direction of affairs, before possessed by the elder queen. The ambition of Julia was now stimulated by revenge, the gratification of which she at last accomplished. There was at the court of Copenhagen, a German, named Struensee, of some abilities, with that wide extent of superficial knowledge and those petty attainments which are so common in continental adventurers. He possessed also an insinuating address, and an agreeable person; but was profligate in his manners, and abandoned in his principles. Having studied some branches of medicine, he professed himself a physician; and having attended the king when he was experiencing the effects of vice, he acquired great favour with the sovereign, and in a short time made so rapid a progress, that, from being an itinerant empiric, he became minister of state. He also elevated Brandt, a fellow-adventurer, and several others of his friends. Both Struensee and Brandt were raised to be earls; many of the chief grandees were disgraced; and most of them were disgusted with the upstart insolence of these ignoble favourites. The demeanour of Struensee also excited many and powerful enemies. As Matilda had then the superior power, Struensee joined her politics in opposition to those of the queen dowager; and thus added her to the number of his foes. Julia secretly insinuated that not a political connection only subsisted between Struensee and the queen: and in 1771, when Matilda was delivered of a daughter, she, seeing the new-born princess, said, with a malicious smile, that the child had all the features of Struensee. The evil report was industriously propagated; and it was farther asserted, that the ruling party had formed a design to supersede the king, to appoint Matilda regent during the minority of her son, and Struensee supreme director of affairs. The report of the intended deposition was never substantiated by any proof; and the other rumour, which was never

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Struensee.

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seconded either by testimony or circumstantial evidence, must stand in history as a FALSE AND MALICIOUS SLANDER against the sister of the British sovereign. The queen, finding herself an object of unjust suspicion, took a part very natural to conscious innocence, but often injurious to female reputation: she disregarded the rumours, and did not abstain from the company of the suspected party. This conduct, neither prudent nor judicious, greatly accelerated the success of her enemies. It was not difficult to spread scandal against the friend of a man so deservedly unpopular; and the charge was very generally believed. The king was easily impressed with the prevailing opinion, being a mere tool in the hands of any party that happened to predominate.

Accusation and arrest of Matilda.

ON the 17th of January, the queen dowager and her son, coming at four in the morning to the king's bed-chamber, asserted to him, that the queen and Struensee were at that very hour framing an act of renunciation of the crown, which they would compel him immediately to sign; and therefore that his only means of escaping this danger, was to sign orders which they had drawn up for the arrest of the queen and her accomplices. The king, though reluctant, at length complied, and the orders were immediately executed; but the queen being found in her own apartment, and Struensee and Brandt in bed in their respective houses, manifested the falsehood of Julia's charge. Having before secured the army and people, the dowager reigned without control. Struensee and Brandt were tried; but culpable as they both might be, there was no evidence that they had perpetrated any capital crime; they were, however, sentenced to death, and executed. Respecting queen Matilda, the ruling party did not attempt to establish their charges. The dowager was unwilling to establish a precedent for trying a queen by subjects; and besides,

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sides, though by subornation and iniquity she might easily have crushed an unprotected individual however innocent, yet to put to an undeserved death the sister of the king of England, would be a very dangerous act of tyranny. His Britannic majesty, knowing that it would be in vain to attempt the vindication of his sister's character in a country governed by her inveterate enemies, resolved to rescue her from those malignant calumniators, and sent a SQUADRON to demand the unfortunate princess. The court of Denmark, not chusing to refuse a requisition so seconded, delivered her to commodore Macbride, who conveyed her from the scene of her persecution to Zell, a city in the dominions of Hanover, where her royal brother had provided her an asylum, in which she resided during the remainder of her short life.[m]

His Britannic majesty demands and rescues his suffering sister,

and affords her an asylum in his German dominions.

[m] She died May 10th, 1775, of a malignant fever, in her 24th year.

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America, tranquil in the south, is turbulent in the north.— Massachusets disavows the authorities of the British constitution.— Britain.— Mercantile failures of 1772.— *Alexander Fordyce.— Change of mercantile character.— Influence of accumulation in India.— Stock-jobbing — fictitious credit — extravagant adventure without capital.— High estimation of lord North for financial skill.— Affairs of the India company — its pecuniary embarrassments — conduct of its servants, and distresses of the natives — reported to the house of commons by a committee.— The company propose a scheme for correcting and restraining its servants.— Parliament undertakes the task.— Company's petition for a loan — granted on certain conditions.— Company allowed to export tea from Britain duty free.— Lord North's plan for the government of India — discussed in parliament — passes into a law.— Inquiry into the conduct of lord Clive. — Distinguished abilities of Messrs. Thurlow and Wedderburne shewn against and for lord Clive.— The war with the Caribs.— Increase of half-pay to naval captains.— Petition of the dissenters — is rejected.— Supplies.— Reduction of the national debt.— Continental affairs.— Completion of the dismemberment of Poland.— Violent attacks of Roman catholic powers on their clergy.— America — tranquillity, and flourishing commerce.— Britain — discontent and licentiousness subside.— Increasing trade and prosperity imputed to the policy of lord North.— The minister now at the zenith of his fame.*

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TRANQUILLITY continued to prevail in the middle and southern colonies of America; but in the northern, the democratical spirit was daily gaining ground. The salaries of the provincial judges, and the attorney and solicitor general, paid by the assemblies, were very scanty. To render men in such important situations more independent in their circumstances, government had this year assigned

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assigned them liberal salaries out of the American revenue. The New Englanders affected to believe that this arrangement was intended to corrupt the source of justice, and render decisions dependent on government. A meeting of Bostonians, called by themselves the *select men*, on the 25th of October petitioned government to hold an assembly for the purpose of considering the evil tendency of the new regulations. The governor not complying, the committee issued a new declaration of rights, more republican than any that had yet been published; which considered the provincials merely as free men, not as British subjects, and denied the right of the British parliament to legislate in any case for the colonies. A general meeting of Bostonians immediately adopted this declaration of their committee; the provincial assembly published their approbation of the doctrines in their most democratical extent; and the proceedings of all classes and orders in Massachusets amounted to a disavowal of the established authorities of the British constitution. Republican turbulence in the north, and tranquil acquiescence in constitutional authority through the middle and southern colonies, strongly manifested a diversity of sentiment, which it was the duty of legislative wisdom to consider, in its policy towards the respective provinces.

1772. America, tranquil in the south, is turbulent in the north.

Massachusets disavows the authorities of the British constitution.

In Britain, this year was remarkable for very great and numerous bankruptcies, important in themselves, but more momentous as they demonstrated the close and complex connexions and intermingled dependencies of commercial credit, and also marked a change that had taken place in the mercantile character. A Scotch adventurer, named Alexander Fordyce, had risen in a few years to such a height in the city of London, that his downfal appeared for a time to shake all credit and confidence throughout the metropolis. Fordyce was a projector, who possessed ingenuity to form plausible

Britain: mercantile failures of 1772.

Alexander Fordyce.

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schemes, insinuating manners, and dexterous address to engage confidence, but without sound judgment and prudence to direct his conduct. He had gambled in the funds to a very great amount; and having at times succeeded, by his occasional command of ready money, and by becoming a partner in a very eminent banking-house, he was entrusted with many and large sums belonging to others. He now dealt in stock-jobbing to an extent unknown in the annals of gambling. At length the bubble burst: he failed to an amount little short of half a million, and involved his partners in his ruin; and many others, who had trusted him with money or bills, shared the same fate. The fall of so great a house carried its effects far beyond immediate creditors, excited a distrust of other banking and mercantile firms, and, obstructing the usual accommodation, produced many stoppages. But these evils, occasioned in a considerable degree by Fordyce and his connexions, originated in causes much more general, which influenced the conduct and determined the fortune of many others. The gains of British merchants in former times were chiefly from the gradual operation of skill, industry, œconomy, and bold yet prudent adventure. The riches acquired were rarely amassed but by a long and persevering attention to trade; moderate wealth was the progressive effect of certain intellectual and moral qualities, skilfully and steadily exerted for a long course of years, forming and determining the character, while they filled the coffers. By the vast acquisitions in India, immense fortunes had been accumulated almost instantaneously: adventurers of very limited merit in three or four years had returned with ten times the wealth that able, prosperous, and eminent merchants were able to collect by the efforts of a long and industrious life. The view of such astonishing acquisitions dazzled many traders, and instead of submitting patiently to former modes of commercial

Change of the mercantile character.

Influence of accumulations in India.

commercial process, they would become opulent by compendious means: with this intent, they engaged in hazardous adventures in the funds[a], monopolies, and various other objects. Not having actual property for carrying on such extensive plans, they were obliged to proceed upon trust; and, as men of real wealth were not the most likely to risk their money on doubtful schemes, combinations of indigent adventurers were formed for maintaining a fictitious credit by interchange of bills. Some of these actually succeeded in acquiring a capital; others kept themselves so long afloat, as to impress the world with an opinion of their ultimate responsibility, and thus found means to involve wealthy men in their projects. From the eastern accumulations and manners, came also an enormous increase of luxury; this evil did not so readily affect the substantial merchant, who in making his fortune had formed his habits to frugality and moderation, as the visionary and needy projector, whose fancy anticipated immense profits, and whose actual possessions could not possibly suffer the smallest loss. The failures of this year were chiefly imputable to extravagant projects in trade, stock-jobbing, and enormous paper credit without capital mutually acting and re-acting, severally and jointly the effects and causes of luxury and profusion. These disasters, springing from unwarrantable adventure, extended their consequences to men totally unconcerned in such wild and destructive schemes. Bankers, in particular, were a class of traders, who, from the nature of their business, had many customers among persons requiring much accommodation by discount, and some of these sustained very great losses. The bank, in a state of general distrust, having refused the usual discounts, men of

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Stock-jobbing.

Fictitious credit.

Extravagant adventure without capital.

[a] Though stock-jobbing had prevailed ever since the establishment of the national debt, the great fluctuation of India stock about this time afforded more scope than usual for this species of gambling.

considerable

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considerable property were embarrassed, as they could not raise money to discharge engagements formed on the faith of customary accommodation, and for several months trade was stagnant. Although many of the commercial sufferers were distressed, not from want of property, but the stoppage of its usual convertibility, no measures were proposed by ministers for supporting the mercantile credit of persons, who, by temporary assistance, might have been preserved from ruin. Greatly, however, as these insolvencies obstructed trade at the time, they did not prove ultimately injurious; for by inculcating caution and reserve, they rendered credit more discriminate, and discouraged the desperate schemes of gamblers, and other unprincipled or infatuated speculators. This beneficial effect, however, they owed to the natural course of commercial confidence, without any aid from the policy of administration.

High estimation of lord North for commercial skill.

LORD NORTH had now acquired a stability and power, much greater than any of his predecessors since the resignation of Mr. Pitt. In the ministry there was none of that distraction of counsels, which contributed so much to the inefficiency of former administrations. The first lord of the treasury excelled most members in parliamentary eloquence, and he had already acquired great reputation for financial skill. From the return of tranquillity to the greater part of America, and the diminution of licentiousness at home, his political talents were generally respected. The opponents of government, though still paramount in genius and eloquence, were very much diminished in number, and less severe and vehement against a minister whom they could not help thinking well-qualified for his office, and throughout the nation lord North was become the object of esteem and confidence.

Affairs of the India company.

THE subject about to occupy chiefly the ensuing session of parliament was the affairs of India, in the investigation

investigation of which a committee of the house was employed during the summer. Though the concerns of the company had been brought under the cognizance of parliament so early as 1767, no measures of correction and regulation had been adopted, except to rescind their acts, restrict their dividends, and obtain from them an annual sum of money on stipulated conditions. Inquiry and investigation now afforded abundant proof, that a comprehensive and radical reform was indispensably necessary to the interests of the company, the honour of England, the welfare and even existence of the natives, and the salvation of British India.

Its pecuniary embarrassments.

An immense accession of territory had unavoidably compelled the company to repose very great trust in their servants, and this confidence had been most grossly and flagrantly abused. The company's officers were guilty of complicated and extensive malversation; their ambition and extravagance had involved their employers in unnecessary and enormous expences; and their extortion, peculation, and iniquity, made a considerable diminution in the income of their masters. To enter on a particular detail of the multifarious means which were employed by the company's servants for defrauding and plundering the natives of India, would far exceed our limits; but a short sketch of the character, system, and leading consequences of the peculation is a necessary part of our history, as a momentous fact belonging to our subject, marking the principle, spirit, and operation of British avarice in India, and ascertaining the necessity for a control to restrain and prevent such flagrant and destructive wickedness. It was before observed, that the plunder of India was conducted by our countrymen according to mercantile modes, and this remark our present account will farther illustrate. The chief servants of the company made it their first business to inform themselves of the most valuable and mar-

Conduct of its servants,

ketable

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ketable commodities in the provinces which they were employed to govern, for the benefit of their masters; they found that salt, betel, and tobacco, were the most productive merchandises; and, accordingly, they very deliberately formed what they called a commercial association for inland traffic in those articles. The principle of the co-partnership was very simple, being only that the said associators, namely, the council of Calcutta, its friends and favourites, should have the sole power of buying and selling those commodities. Thus did servants, without any authority from their masters, who had indeed no right to grant such power, establish by their own will, and for their own benefit, a monopoly of the absolute necessaries of life, throughout three large, populous, and opulent provinces. Having no competitors, they bought and sold at their own price: impoverishing the people, they rendered them unable to pay the stated exactions of the company; and thus, in robbing the natives, they defrauded their own employers. Not satisfied, however, with commercial pillage, they turned their views also to territorial estates. The zemindars, or landed proprietors, held their possessions on leases, the validity of which had never been doubted, more than any other legal security for property. The company's servants, however, destroyed this right, deprived the proprietors of their lands, sold them to the highest bidders, and shared the profits among themselves, according to their respective rank and influence in this combination of rapine. The land-holders, deprived of the secure expectation of reaping the fruit, neglected to cultivate the soil; a large proportion of land was left untilled, and the consequence was a scarcity of food. The oppressed Indians, unable to procure rice, tried to subsist on roots; but many of these proving unwholesome, pestilence accompanied famine: the waters of the Ganges were infected by the number

of carcases which they daily received, and the putrid effluvia increased the mortality. The insatiate avarice of Britons thus spread desolation over India: the same iniquity which beggared the people, impoverished the company; and vast sums were spent in lucrative jobs, of no use to the establishment. There was, indeed, among the company's servants, one predominant object, to amass money by every means, however iniquitous and destructive; but the most efficacious expedients of avarice were, fraud and breach of trust to their employers, devastation of the possessions which they were hired to improve, and plunder of the natives, whom they were paid to govern.[b] With such servants, the company, instead of becoming opulent, were deeply embarrassed; they had borrowed large sums of the bank, and requested the assistance of government to liquidate their debts. Such was the essence of the report prepared by the committee, and delivered to parliament, which met on the 26th of November. It farther appeared, that their distresses had been increased by accepting bills from their unprincipled servants, who thus procured the responsibility of their masters for engagements by which the servants only were benefited. The misconduct of the company's officers, with all its consequences, was manifestly imputable to the want of an efficient control, proportionate to the vast powers with which they were necessarily entrusted. In the present situation of affairs, therefore, it was the business of the legislature to establish a control, which, leaving to servants every power necessary for the objects of their employment, should only restrain malversation. The minister, admitting the abuses of the servants and the embarrassed state of the company's affairs, declared that the evils might be removed by wise

is reported by a committee to the house of commons.

[b] This statement is compressed from the report of the select committee, delivered to the house in November 1772.

and

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and vigorous management. The company were themselves preparing to send out supervisors, to direct and reform their servants; but such efforts would, in his opinion, be inadequate to the exigencies of affairs. Before he himself introduced a plan of regulation, he proposed a secret committee, which should find out every thing necessary to be known, without exposing any facts of which the publication would be injurious. The committee reported, that the company, though much distressed in their pecuniary concerns, were preparing to send out a commission of supervision, the expence of which would heavily add to their difficulties; and recommended a bill to prevent them from pursuing their intention: a second report presented a statement of the effects, debts, and credits of the company at home and abroad. On the reports of this secret committee, together with those of the select committee, lord North formed a plan respecting India, which consisted of three successive bills, and the discussion occupied the principal consideration of parliament in the present session. The first bill was framed to prevent the company from employing the intended means for the correction of abuses in India, and was preparatory to the interference of the British government in the administration of that country; the second proposed to relieve the company from its present embarrassments, by a loan; and the third, to establish regulations for the better management of the affairs of the company, as well in India as in Europe. The first bill was opposed, as an invasion of the company's charter, and of the right which every British subject, or body of subjects, possesses, of managing their own affairs. The company's situation, it was contended, was not so distressed as to be irretrievable by its own efforts and counsels. In the progress of the bill, petitions and counsels from Indian proprietors maintained the same

The company proposes a scheme for correcting and restraining its servants.

Parliament undertakes the task.

Bill for preventing the company from sending supervisors to India.

same doctrine. Ministers and the other supporters of the bill declared, that they intended the good of the company, as well as the security of the public. The proposing a very expensive commission at a time when the company was already in arrears to government, and so distressed as to be applying for a loan, was a very impolitic measure; it was therefore the duty of parliament to prevent them from being involved in utter ruin. Beside the unsuitableness of such an establishment to their circumstances, it was totally inadequate to the proposed object. The malversations in India were too great for any efforts of the court of directors to correct; the power of government only could be capable of curbing rapacity and violence, restoring to the inhabitants the secure enjoyment of their property, and directing the revenue into its proper channels. A great majority of both houses voted for the law. CHAP. XI. 1772. is passed into a law, 1773.

DURING the progress of this business, the company petitioned parliament for a loan, in the manner and on the terms specified in several propositions which had been presented to the house. They asked for one million five hundred thousand pounds for four years, at four per cent., to be repaid by instalments; and engaged that the dividends of the company should not exceed six per cent. until half the sum was liquidated, after which they might raise their dividend to eight per cent. When the whole loan was discharged, the net profits beyond eight per cent. should be applied to the payment of the company's bond debt, until it was reduced to 1,500,000*l.*, and after that reduction the surplus should be divided between the public and the company. They farther requested, that they might be discharged, during the remainder of the five years[c], from the four hundred thousand pounds, and might have leave to export their teas, free of duty, to America and Company petitions parliament for a loan,

[c] See the parliamentary transactions of 1769, in vol. i. p. 441.

foreign

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1775. which is granted on certain conditions.

foreign countries. Lord North admitting the policy of relieving them, proposed, that one million four hundred thousand pounds should be lent to the company, and that their dividends should be limited to six per cent. until the repayment of the loan, and afterwards to seven per cent. until their bond debt should be reduced to 1,500,000*l*. Respecting the participation of profits, the minister proposed, that the surplus profits above the sum of eight per cent. should pay three-fourths to the treasury, and the remainder be applied to the farther reduction of the bond debt, or to discharge future contingencies of the company. In the course of these discussions, the minister contended, that the state had a right to territorial possessions acquired through conquest by any of its subjects. Opposition argued, that lands acquired without the interference of the state, by a company exercising the corporate rights which they had purchased from the state, could no more belong to Great Britain, than the advantages of any other contract could belong to the granter after he had made the convention for specified value. The minister persevered in asserting the right of the state to the territorial possessions in India, but thought it better to wave that question for six years longer, soon after which period the charter would expire. Those who either wished to oppose ministry, or to support the pretensions of the India company, chose to consider the state and company as two independent parties discussing a question of property according to the law of England. The minister took a different view: he looked on the East India company as a body, which had been incorporated for a certain purpose, but was now placed in a situation totally different from the intent of its charters, and as protected in its commercial possession by those charters; but that its territorial acquisitions constituted no part of the corporation's rights; and became a question of policy, to be determined on the general

general principles of wisdom and prudence, and not of law, to be decided by courts of judicature. CHAP. XI.

1773. The company is allowed to export tea from Britain duty free.

In conformity to that part of the company's petition which respected the export of tea, the minister proposed, that they should be allowed to send it without paying customs wherever they could find a market. One cause of their diminished return was, the rejection of that commodity by the colonies: they had 17,000,000lbs. on hand, which, by being enabled to sell at a reduced price, they hoped they could dispose of both in Europe and America. Lord North further intended, by thus offering the article to the Americans at a low price, to tempt them to purchase it in great quantities; and thus, besides benefiting the company, to add to the impost revenue from the colonies. This part of his plan led eventually to more important consequences, than any of his whole system for regulating the affairs of the India company.

Lord North's plan for the government of India,

The minister proceeded to propose a third bill for the better management of the company's affairs; containing the first plan framed in the British legislature for governing British India. The scheme was, that the court of directors should be elected for four years; six members annually, but no one to continue in the direction longer than the four years; that none should vote at the election of a director, who had not been a proprietor twelve months; that the qualification of a voter should, instead of five hundred pounds India stock, be a thousand; that the mayor's court of Calcutta should be confined to small mercantile cases; that a new court should be established, consisting of a chief justice and three puisné judges, who were to be appointed by the crown, and a superiority was to be given to the presidency of Bengal over the other establishments of India. In support of this bill ministers alleged, that the present brief period of their continuance in office left the directors no leisure to form

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form and execute projects of permanent advantage; that six months was too short a term for holding stock as a qualification to vote, as it did not preclude temporary purchases for that purpose; and that 500*l.* was not a sufficient interest in the company, to entitle a proprietor to a vote, in its present extensive concerns. The mayor's court, composed of merchants and traders, though competent to its juridical purpose before the territorial acquisitions, when the matters submitted to its decision were solely commercial, was now totally inadequate to the exercise of the supreme judicature, and therefore a new court was proposed. The minister did not profess to expect that these regulations would completely produce the desired effect; yet he trusted that they would operate powerfully towards a general reform, and that the future vigilance of the legislature, instructed by experience, would provide new regulations, suitable to the state of the various and complicated concerns. The bill was long and vigorously opposed in parliament, and strongly deprecated by India proprietors; not only by the holders under a thousand pounds stock, who asserted that the franchise which they had purchased was confiscated without delinquency; but by others, who apprehended that thereby the property of India stock would decrease in value, as so strong a motive to purchase, or retain, was withdrawn: however, at length it passed into a law. The committees, beside collecting information to guide and induce deliberative amendment, found in the conduct of some of the company's principal servants, grounds for very severe judicial inquiries. A direct charge was adduced against those who had been principally concerned in the deposition of Surajah Dowla. General Burgoyne, chairman of the select committee, having enumerated the distresses of India, and the acts from which, according to the committee, they arose, declared that he would prosecute the chief

is discussed and debated in parliament,

and passed into a law.

Inquiry into the conduct of lord Clive.

delinquents; he therefore moved "that the right honourable Robert lord Clive, baron Plassey in the kingdom of Ireland, in consequence of the powers vested in him in India, had illegally acquired the sum of 234,000*l.* to the dishonour and detriment of the state."

THE arguments to support this charge, were taken from the result of the various inquiries, a great part of which consisted of answers to interrogatories, put to the accused himself, and other principal actors. Lord Clive was stated to be the oldest, if not the chief delinquent, and to have set an evil example to all the rest; unless he were punished, therefore, every other offender might equitably expect indemnity. Lord Clive made a very ingenious and dexterous defence; and with much art having avoided a close discussion of the question on its own ground of right or wrong, he pleaded the thanks of the directors and proprietors on his return home, and farther the approbation of his sovereign and country. In certain situations, he said, there was a critical necessity, in which the English power and fortune in Asia depended solely on rapid, well-timed, and extraordinary measures; by such efforts he contended that he had saved India. The presents were agreeable to the general custom of the east; Meer Jaffier had rewarded all those who had been instrumental to his success: the acceptance of such recompence he had never deemed dishonourable, and, it was well known, he had never concealed. Other members of the house, beside enlarging on these topics, farther argued, that his high character and immense fortune, after having been quietly enjoyed for so many years, ought not to be endangered by a scrutiny into a remote period; and that, moreover, his important services ought to have screened him from those charges. This species of logic, that, in a case of criminal inquiry, service performed at one time, may be pleaded as a *set-off*

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against guilt contracted at another, was strongly controverted by Mr. Thurlow, who conducted the attack, while Mr. Wedderburne headed the defence. A motion being made for censuring his conduct, the acuteness of his advocate did not rest the vindication of lord Clive on a plea of service, which he as fully as Mr. Thurlow admitted to be irrelative in a criminal charge, but his chief ground of argument was the nature of the evidence, which arose principally from the accused himself, and other leading actors. The testimonies were given by gentlemen who had no conception that their statements could affect themselves; and if rendered the foundation of a prosecution, they would oblige persons to be witnesses to their own detriment, than which nothing could be more inconsistent with justice, and the judicial course of England.[a] These arguments, strongly impressed by Mr. Wedderburne, induced the house by a considerable majority to put an end to the inquiry.

1773. Distinguished abilities of Messrs. Thurlow and Wedderburne shewn against and for lord Clive.

War with the Caribbs.

While East India affairs occupied the chief attention of parliament, some occurrences in the West Indies were also brought under its consideration. The islands of St. Vincent, St. Lucia, and Dominica, had formerly been deemed neutral, both by the French and the English. The proprietors of the soil were the Caribbs, being the descendants of the aboriginal Indians, with a small intermixture from fugitive negroes. The French had made establishments in these islands, with the consent of the natives; but had found it necessary, for the secure enjoyment and improvement of their new acquisitions, to court the friendship of the ancient possessors. At the cession of St. Vincent to England, the Caribbs were not mentioned; and when new settlers from Britain undertook to plant the island, orders were given, that while these Indians were inoffensive they should not be disturbed. Most of

[a] Debrett's Parliamentary Debates, for May 1773.

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the French planters sold their estates to British adventurers, who became considerable both in numbers and property; but the most fertile tracts were still in the hands of the Indians. The new colonists, conceiving that such valuable possessions would be much better improved by British industry than by Indian indolence, proposed to government, to deprive the natives of the soil fittest for cultivation, and bestow on them tracts more commodious for their favourite occupations of hunting and fishing; and administration, foreseeing no opposition from the natives, approved the plan. The exchange was offered by the planters to the Caribbs, but rejected with indignation; they had held their lands, they said, independent of the king of France, and would now hold them independent of the king of Great Britain. The British settlers, apprehensive of a contest with such inflexible neighbours, submitted to government, whether it was not expedient, since the Caribbs would not part with their lands, to transport them to the coast of Africa; and ministers too hastily agreed to the scheme. The Caribbs resolved to resist; and a body of troops, in 1772, was ordered from North America to reduce them to subjection: but the rainy season prevented our forces from making progress, and proved extremely sickly. These hostilities became the subject of severe animadversion in parliament; we had, it was said, unjustly attacked the immemorial rights of the Caribbs, and unwisely sent out our soldiers at a season fatal to Europeans who had newly arrived from a more temperate climate. Motions concerning the causes of the war and the state of the troops, caused long and ardent debates in parliament; which, though severally negatived by great majorities, highly excited the public attention. Intelligence at length arrived, that major-general Dalrymple and the Caribbs had concluded a peace, in which they acknowledged themselves the subjects of Great Britain,

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tain, and promised, in their intercourse with the whites, to be governed by the laws of England; but in their own territories, and in matters relating to each other, they were to retain their ancient customs and usages: they agreed to cede certain districts to the British planters, and acknowledging that they owed their lands to the king's clemency, were allowed to retain all that was necessary for their population and pursuits.

In this session, lord Howe presented a petition from the captains of the navy, praying a small increase of their half-pay. From the reign of Elizabeth till the year 1715, as his lordship shewed, naval captains received a half-pay double the amount of that which they received in 1773, when the value of money was so much diminished. It would be superfluous to employ argumentation in demonstrating the merit and importance of that gallant class of gentlemen, or to prove that the allowance was unsuitable to their rank in society. From the general attachment of Britons to the navy, and their conviction that the recompence was inadequate to the service, the public earnestly desired that the wish of the brave veterans should be accomplished. The minister admitting their claims, lamented that the situation of the finances did not allow additional expences. The application, however, was so very popular, that a motion was carried in favour of the petition, a suitable address presented to his majesty, and an addition of two shillings a day (amounting in all to six) made to the half-pay of navy captains.

Increase of half-pay to naval captains.

Bill in favour of the dissenters,

The dissenters, notwithstanding the disappointment of the former year, brought in a bill for the repeal of penal laws and subscriptions, which, being supported and opposed by the same arguments as before, was rejected.

is rejected.

Supplies.

The ways and means of this session shewed the financial skill of the minister to be neither excellent

1773.

cellent nor defective. His calculation indeed, on the reduction of the national debt, had proved somewhat erroneous, as no part of the funded incumbrance was actually liquidated. Exchequer bills to the amount of 1,800,000*l.* were discharged: and the money advanced to the East India company was not immediately raised, but credit pledged for it in exchequer bills. The session did not rise till July 1st, after having lasted nearly eight months.

Reduction of the national debt.

During this winter there was a great scarcity of corn, especially in Scotland, and tumults ensued: the rioters, however, by the vigilance of the corn-dealers, and the firmness of the magistrates, were prevented from destructive outrage. On the continent of Europe, the partitioning powers this year continued to be the principal objects of observation, while they completed their project of robbery, and compelled the unhappy Poles to sanction their various steps of iniquity and usurpation. As they advanced in spoliation, they grew more indifferent about even the semblance of justice; and whenever the Poles offered any remonstrance, they immediately threatened to overwhelm them with troops.[a] A few of the nobility having escaped from Warsaw, betook themselves to Cracow, and there endeavoured to form a party against the plunderers and usurpers; but their attempts were unavailing: the partitioning powers, having dismembered the best provinces of Poland under pretence of amending its constitution, confirmed its defects, and perpetuated the principles of anarchy and confusion. It would be foreign to this history to follow those dragooning law-givers through the detail of their acts, but they all shewed that the object was to render those parts dependent on the partitioning powers through faction and internal disor-

Continental affairs.

Completion of the dismemberment of Poland.

[a] See the manifestoes of the three several powers, addressed to Poland; State Papers, 1773.

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der, which it did not at present [f] suit their purpose to seize by their arms.

Russia was by no means so successful against the Turks this year, as in former campaigns. Elated with her victories, she had refused all reasonable terms of accommodation, expecting that her conquering forces would penetrate to Constantinople, and that she might dictate the peace in the enemy's capital. Early in summer, her forces on the Danube took the field, and after some partial and detached advantages, the grand army penetrating to the confines of Romania, found the vizier so strongly posted, that he could prevent the progress of the Russians, without being compelled to hazard a battle. After various masterly but ineffectual movements to bring the enemy to a decisive engagement, Romanzow was obliged to recross the Danube, and at the end of the campaign found himself no farther advanced than at the beginning. In the Crimea and the Levant, the Russian operations, much less important, were equally indecisive: the Turks, indeed, being now re-taught the use of arms, commanded by an able and skilful general, who possessed the confidence of his soldiers, no longer afforded certain and easy victory.

It was conceived, that France and Spain were this year preparing to take a part in the war against Russia, of whose progress and power the house of Bourbon was jealous. Their armaments not being confined to the ports on the Mediterranean, and being greater than was necessary to act against the Russians in the Levant and the Archipelago, the Baltic was supposed to be one object of their destination. France was believed to be, through her

[f] It may be asked, why did not the confederate invaders usurp the whole kingdom of Poland? Of the reasons of this forbearance the Annual Register gives a very probable account. "It would have been a matter of no difficulty to form new claims *upon as good a foundation* as those which they had already made; but it would not have been so easy to have agreed among themselves as to the distribution." Annual Register, 1773, p. 40.

intimate

intimate connexion with the king of Sweden, instigating that prince to a war, which, from his lately-acquired absolute power, he could the more readily undertake. The equipments of the Bourbon sovereigns, whatever might be their purpose, necessarily aroused the vigilance of England; a powerful fleet was speedily prepared; and the ambassadors of Britain at their respective courts announced, that if they interfered in the war between Russia and Turkey, an English fleet sailing to the Mediterranean would frustrate their projects. The king of Spain, always inimical to this country, appeared disposed to hostilities: but the French king and ministry, desirous as they might be to check the progress of Russia, were far from wishing to involve themselves in a war with Britain, and by their influence at Madrid they prevented a rupture. In Italy, the pope, who had so strenuously maintained the cause of the jesuits, and so obstinately endeavoured to support the customary extortion of his priests, was now dead. His successor, aware that a bishop of Rome was of little consequence out of his own diocese, unless supported by the power of lay-sovereigns, determined to cultivate the friendship of those princes. To gratify the united house of Bourbon, he suppressed the jesuits; but allowed individuals who had belonged to that order, to remain in his dominions, provided they rendered themselves useful, without advancing doctrines in support of their late institution, or taking any steps toward its restoration; and this was the final blow to the remains of an order the most celebrated of monkish fraternities.

Attacks of Roman catholic powers on the clergy.

In all the Roman catholic states, the reduction of ecclesiastical power, begun with such effect by the house of Bourbon, was become general; indeed, plans of this sort were so hastily adopted and executed, as rather to manifest that they sprung from imitation than from rational conviction. The exaltation of priests far beyond their due rank in society,

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society, had been very long the fashion, so their excessive depression became now the mode of catholic courts; an undue contempt of ecclesiastics was a favourite sentiment with princes and ministers in those countries wherein they had very recently been regarded with undeserved admiration: those notions, very naturally, in the usual course of human opinion, running into opposite extremes, accelerated the progress of infidelity; and, in their remote consequences, precipitated the downfal of their abettors.

America;

THOUGH the stubborn republicans of New England continued to thwart the mother-country, the middle and southern provinces were peaceably and quietly advancing in population and prosperity. They seemed resolved to cultivate the friendship of Britain, replete with benefit, and which for several years no measure or occurrence had tended to intercept. They appeared well satisfied with the administration of Lord North, under which the chief objects of their complaints had been redressed. Relieved from the greater part of the obnoxious imposts, they gave themselves little trouble about the reservation of the principal; and, while their purses were spared, forebore quarrelling about metaphysical propositions; they also discouraged the republican agents of their northern neighbours. Bred in monarchical principles, they did not, like the Bostonians, wish to separate from Great Britain merely because it was a monarchy; they were willing to give allegiance for protection, though afforded by the wearer of a crown.

tranquillity, increasing trade, and prosperity.

Britain; discontent and licentiousness at bside.

AT home, the spirit of licentiousness had subsided; the minister, unassuming and agreeable in his manners, and candid in his opinions, was esteemed able and successful in his administration. His plan for governing India greatly increased his own power and patronage, and was yet pleasing to the country. It was necessary to restrain by some means the oppression,

pression, extortion, and cruelty of the company's servants; and the nation conceived the principles and provisions of his system to be effectual for that purpose. His new arrangements would, it was supposed, by preventing the extravagance and depredations of the company's officers, increase this bountiful source of revenue, and farther diminish the public burdens. The nation was at peace with all the world, and apparently likely to continue long to enjoy tranquillity; commerce was increasing, and conceived to be in a train of very great augmentation; and every thing appeared favourable to private and public prosperity. Thus during lord North's ministry, his country, from being a scene of turbulence and discontent, was become tranquil and satisfied; America, from refusing our manufactures, distressing our commerce, and being almost in rebellion against our government and laws, now afforded an advantageous market for our commodities, enriched our merchants and manufacturers, employed our shipping, exercised our sailors, and declared their attachment to our constitution and king. India, from being the scene of iniquity, was to be administered with justice. Our receipts, recently unequal to our annual expenditure, now, without farther burdening the subject, enabled us to reduce the national debt, and thus ultimately to lessen the taxes on the people. Such was the situation and repute of the minister, and such the opinion and hopes of the people, at the period which the history has now reached; lord North being now in the meridian splendour of his administration.

Increasing trade and prosperity imputed to the policy of lord North.

The minister now at the zenith of his fame.

THOUGH the fairness of the prospect was no doubt exaggerated by sanguine imaginations, yet to discerning judgment it was by no means unpleasing; tranquillity was restored at home, and in most of the colonies; some progress was making in reducing the national debt; trade was actually increasing, and likely still farther to advance. The effect of the East

India

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India plan, either commercial or political, could not with any precision be ascertained; but by restraining, in some degree, fraudulent and predatory appropriation of Indian wealth, seemed calculated to improve the company's finances, and the revenue of Britain. Reflecting politicians saw, that the favourable change in our affairs could not be all traced to the minister's counsels or measures, but they certainly perceived that American tranquillity was to be imputed to his propositions. In these they discovered a mind more inclined to conciliation than coërcion, and confidently inferred that lord North would adhere to the soothing policy, of which they had already experienced the salutary effects. No event or situation had occurred, to exhibit lord North as a great minister; but there were hitherto no grounds to question his capacity for successfully conducting the affairs of his country, in circumstances not more trying than those which he had yet encountered.

CHAP. XII.

Object of the minister in his proposition respecting the export of tea.—Alarm at Boston.—Discovery of the governor's letters to the English ministry.—News arrives in Boston, that ships laden with tea are on their way.—Riots.—Governor's proclamation is disregarded.—Ships arrive at Boston.—A mob throws the cargo into the sea.—Meeting of parliament.—King's message respecting the disturbances at Boston, is discussed in parliament.—Bill for blocking up the port of Boston.—The punishment of a whole community for the acts of a part, is defended by ministers.—The principle and provisions of the bill are impugned by opposition as unjust and unwise.—Precedents discussed.—Opposition predict, that it will drive the colonies to confederate revolt.—The bill passes into a law.—Mr. Fuller's motion for repealing the duty on tea.—Mr. Burke's celebrated speech on American taxation.—Coërcive plan of ministers farther developed.—Bill for changing the civil government of Massachusets.—Bill for changing the administration of justice therein.—Quebec bill.—Inquiry into the state of prisons.—Howard.—Supplies.—Literary property ascertained by a decision of the house of peers.—Session closes.—Expectations and apprehensions from the coërcive measures of the legislature.

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I COME now to a part of the narrative more important than any which has hitherto been the subject of this history. I have to trace the causes and the commencement of a war, which in its progress involved maritime Europe, and in its operations displayed very frequently all the strength of the British character, in which, though the issue proved unfortunate, as the counsels were not rarely unwise, and the executive conduct not seldom dilatory and indecisive, yet the contest was on the whole not inglorious. The mass of British energy was unimpaired. Military ardour and enterprise, naval skill, courage,

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courage, and ability, manifested themselves in all ranks. If Britain, having the whole force of her ancient foes and her recent friends and subjects to combat, did not come off victorious, yet she was not vanquished; she indeed lost her colonies, but did not lose her honour.

VARIOUS were the circumstances, both internal and external, in her cabinet, her senate, her camp, and the combined efforts of her enemies, which tended to depress our country; but all did not effect a lasting humiliation. The national exertions, though far different in success from those during which Pitt had guided her councils, or Marlborough headed her troops, proved that Britain had not degenerated. Severely as the effects of the American war were immediately felt by this country, yet its distant consequences have been most dreadful to continental Europe, by rapidly accelerating that great revolution which now overwhelms so large a portion of the civilized world, and has made the chief abettors of revolt fall into destruction from the principles which that revolt cherished.

Object of the minister in his proposition concerning the export of tea.

LORD NORTH, in his proposition for exporting the teas of the company without paying duty, had a twofold object in view: to relieve the company, and to improve the revenue. The Americans, being informed of the act, viewed it only in the latter light. The associations against importing tea, were still in existence; although, except in Massachusets bay, little regarded; and the promulgation of this scheme revived their spirit in the more moderate colonies; but in Massachusets it excited great rage and alarm. It was foreseen, that if the tea were once introduced and landed, it would be impossible to prevent its sale and consumption, and thus the inhabitants would be obliged to pay the duty, notwithstanding all their efforts to oppose taxation. As tea had been clandestinely imported even to Boston, the dealers, who were very numerous, were afraid that the

Alarm at Boston

trade

trade might be taken out of their hands, and become entirely dependent on the consignees of the East India company. These, from the connexion now subsisting between the company and the administration, were gentlemen who favoured government, and were of course unpopular in New England.

Discovery of the governor's letters to the English ministers.

THERE was another circumstance also, which rendered these colonists more inimical than ever to government, and consequently more determined to oppose its measures and misconstrue its intentions. Some years before this time, the governor and deputy governor of Massachusets had written confidential letters to official persons in England, containing a very unfavourable view of the state of affairs, and of the temper, dispositions, and designs of the leaders in that province. They alleged, that a republican spirit prevailed there, which would resist the measures of Britain, however equitable; that to reduce the inhabitants to obedience, coërcion was necessary; and that a considerable change of the constitution and system of government was requisite, to insure the subordination of the colony; and proposed, that the alteration should be such as would abridge their liberties. By some means not yet discovered, doctor Franklin, agent for the province in England, got the letters into his possession. Franklin was also deputy post-master-general for America, an office which he held from the appointment of the British government; from gratitude, therefore, he might have been presumed to be attached to his employers. Perhaps the possessor of the letters might, on this supposition, have shewn them to him, in order to illustrate some opinion respecting the conduct of the Americans; but howsoever he might have discovered them, it was to be expected that he, who must have seen their nature and tendency, would not have published papers which must necessarily embroil the governor and the colonies. Franklin, nevertheless, did make them known, by transmitting them to the provincial

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provincial assembly then sitting at Boston. The animosity and indignation excited by their perusal were, as the informer must have foreseen, very violent. The assembly sent a deputation to inquire whether the governor acknowledged the signatures; and the subscription being owned, they prepared a petition and remonstrance to be presented to the king, charging the governor with betraying his trust by giving partial and false information, declaring him an enemy to the colony, and praying for his removal from office. This new source of discord rendered the Bostonians more open to other causes. The consignees of the East India company were chiefly of the family and nearest connexions of the governor and deputy-governor, and were thus the more obnoxious to the hatred of the Bostonians.

News arrives at Boston of the approach of ships laden with tea.

In the month of November, intelligence was received that three ships laden with tea were on their passage to Boston. Tumults, violence, and riot, were excited, to frighten the consignees from acting in their intended capacity. Some of the company's agents were so intimidated as to yield to this lawless violence, and to relinquish their appointments, but others resolved to discharge their duty. Committees were appointed in different towns, to which the constituents delegated much greater powers than justly and legally they possessed themselves. They authorized the deputies to inspect the books of merchants, to impose tests, and to inflict punishment on those who resisted their tyrannical proceedings. These violent measures were not confined to the province of Massachusets, but extended to the other colonies; it was, however, at Boston that they proceeded to flagrant outrage. There the populace, with the imperious insolence of a democratical mob, commanded the agents to relinquish their appointments; but those gentlemen refused to deviate from engagements which justice sanctioned, and law authorized; and the rioters attacked the houses of the refractory consignees, whom they obliged

Ri ts

obliged to take refuge in Castle William. The governor issued a proclamation commanding the civil magistrates to suppress the riots, and protect the peaceable and well-disposed inhabitants[g]; but the proclamation was disregarded and despised, and the sheriff insulted for attempting to read it at one of the illegal meetings. In December 1773, three ships belonging to the company arrived at Boston; and the very day on which they came to port, one of the first objects that they beheld was a custom-house officer tarred and feathered by a riotous multitude, because he had performed the duties of his office. The populace manifested so general a spirit of enmity and revenge against all whom they supposed to be connected with the importation of tea, that the captains were afraid to attempt the landing of their cargoes, and offered to return to England, if they could obtain the proper discharges from the consignees, the custom-house, and the governor: but though these officers would not venture to land the tea, they refused to give the captains a discharge while their cargoes remained on board, for the delivery of which they were engaged by the company. A meeting of the inhabitants had expressed a determination to send the cargoes and ships back to England, and applied to the custom-house for a clearance, and to the governor for leave for the ships to pass Castle William; and the refusal of both being reported, the Americans apprehended that it was the design of the government officers to land the tea privately, which would render it impossible to prevent its gradual sale, and consequently the taxation, which the Bostonians abhorred. To oppose this, a number of armed men, in the evening of the 18th of December, disguised as Indians, boarded the ships, and threw the cargoes into the sea.

1773. Governor's proclamation; is disregarded.

Ships arrive with tea.

A mob throws the cargoes into the sea.

[g] Stedman's History of the American War, vol. i. p. 84.

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1774. Meeting of parliament.

BEFORE the news of this outrage arrived in England, parliament had assembled. That august body met on the 13th of January 1774. The principal subjects of the king's speech were, the pacific disposition of other foreign powers, though the war between Russia and Turkey still continued; a general recommendation to employ our tranquillity from abroad in improving our condition at home, and especially to prosecute such measures as should tend to advance our commerce and revenue. Under these heads, he recommended them to pay particular attention to the gold coin, which was then very much impaired. On the disputes of America his majesty did not enter, as no information had yet been received of the violent proceedings of the colonists during the recess of parliament. In February, however, intelligence arrived of the riot in Boston; and on the 7th of March a message was delivered from his majesty to the house of commons by lord North, purporting, that in consequence of the unwarrantable practices carried on in America, and particularly the outrageous proceedings at the town and port of Boston, with a view of obstructing the commerce of this kingdom, and upon grounds and pretences immediately subversive of the constitution, it was thought fit to lay the whole matter before parliament. The king confided as well in their zeal for the maintenance of his majesty's authority, as in their attachment to the general interest and welfare of all his dominions. He trusted that they would not only enable him effectually to adopt such measures as might be most likely to put an immediate stop to these disorders, but would also take into their most serious consideration what farther regulations and permanent provisions might be necessary to be established for better securing the execution of the laws, and the just dependence of the colonies upon the crown and parliament of Great Britain. This message being

Message of the king respecting the disturbances at Boston;

delivered,

delivered, a great number of papers were laid before the house, consisting of copies and extracts of letters from the different magistrates and officers, the votes and resolutions of the inhabitants of Boston, and many other documents, both authentic and important. An address to his majesty was proposed, strongly expressing the readiness of parliament to comply with the requisition of the royal message. Though this motion was carried without a division, it produced a very general discussion of American affairs, and of the mode and extent of the inquiries which should be made. Members of opposition admitted, that America was in a very disordered state; but contended, that the disturbances arose from one radical cause, taxation; and until that was removed, discontent would always continue in the colonies. They ought to inquire into the conduct of the Americans who had resisted government, and punish them according to the guilt established by proof. They ought also to examine the system of violence which had provoked, and of weakness which had encouraged, their resistance. The house could only support ministers, after investigating their conduct, and finding it wise and equitable; therefore a strict retrospect into their management was essentially connected with an inquiry concerning the state of America. If they had acted prudently, such a review would terminate to their honour; but if unwisely, it behoved parliament not to encourage weakness and ignorance. The retrospect here proposed was not for a judicial purpose, to have ministers tried or punished; but a deliberative, to direct the conduct of the legislature. Ministers warmly opposed this two-fold consideration of the subject; and contended, that the inquiry should be confined to the mere misbehaviour of the Bostonians. Were it to extend to other subjects, it would retard a business peculiarly pressing; and also encourage the disaffected colonists, by inducing them to

discussed in parliament.

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suppose that there was in the British parliament a disposition to lessen their guilt by throwing blame on the executive government. The proposed retrospect was therefore not only unnecessary, but even dangerous: although ministers did not here prove that, in examining subjects of deliberative measures, it was better to rest contented with part of the facts than to scrutinize the whole (and that was the amount of their argument[h]), yet they succeeded in persuading parliament to confine its attention to the violence and outrages of the Americans, without seeking to trace the causes. On this imperfect knowledge of facts, the British legislators proceeded to deliberate on questions involving the preservation or loss of a most valuable part of the empire. As the grounds of their procedure were partial, it might have been expected that they would have investigated the parts which they professed to consider, before they passed any laws upon them: it will be presently seen, in what manner, and to what extent, cognizance of the case preceded delivery of judgment. Parliament agreeing to inquire on the partial system proposed by government, ministers contended, that two subjects must be obtained, satisfaction to the East India company for the loss which they had incurred by the destruction of the tea; and reparation to the honour of Britain, for the insult which was offered to it in the forcible transgression of its laws. They vindicated the conduct of the governor, in not having employed the military force of the castle and ships of war to prevent the destruction of the cargoes: the leading men in Boston had, they alleged, always remonstrated against the interposition of the army and navy, and had imputed the past disturbances to their interference. Mr. Hutchinson manifested great prudence and discretion in forbearing

[h] See Parliamentary Debates, March 1774; and afterwards, on the Boston port bill.

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an employment of his force, which would have been irritating to the minds of the people; and might well have hoped, that by thus confiding in their conduct, and trusting to the civil power, he should have quieted their tumultuous violence, and preserved the public peace. The event, however, proved contrary to his well-grounded expectations; the disposition and temper of the Bostonians, freed from the influence of fear, had been fairly tried, and had fully manifested themselves; and their conduct had demonstrated, that it was impossible for the powers now vested in government to prevent atrocious outrages. Our commerce, it was now evident, could no longer be safe in the harbour of Boston; and it was absolutely necessary that some other port should be found for receiving our merchandize. The minister therefore proposed, for the purpose of private indemnification and public satisfaction, a bill for shutting up the port of Boston, and prohibiting the lading or unlading of all goods or merchandize (except stores for his majesty's service, and provisions and fuel for the use of the inhabitants) at any place within its precincts, from and after the 1st of June, until it should appear to his majesty, that peace and obedience to the laws were so far restored in the town of Boston, that trade might again be safely carried on, and his majesty's customs be duly collected. In that case, his majesty might, by proclamation, open the harbour; but not even then, until it should appear that satisfaction had been made to the East India company for the destruction of their tea, and also to those who had suffered by the riots at the time of its arrival at Boston.[i]

Bill for blocking up the port of Boston.

Lord North observed, during the progress of the bill, that to fine communities for their neglect in not punishing offences committed within their

The punishment of a whole community for

[i] Stedman's History of the American War, vol. i. p. 88.

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1774. the acts of a part is defended by ministers.

limits, was justified by several precedents. In king Charles the second's time, when Dr. Lamb was killed by unknown persons, the city of London was fined; when captain Porteus was violently and illegally put to death by a mob, the city of Edinburgh was fined and otherwise punished; and when Mr. Campbell's house at Glasgow was pulled down, part of the revenue of the town was sequestrated to make good the damage. Boston, he observed, was much more criminal than either of the three cities that he had mentioned; that town had been upwards of seven years in riot and confusion; and there all the disturbances in America had originated. By this bill, Boston might certainly suffer; but she deserved to suffer, and she would suffer far less punishment than her delinquencies merited: the duration of her punishment was entirely in her own power; whenever she should make satisfaction for her past injuries, and give full assurance of her future obedience, his majesty would doubtless restore her to her former situation, and open her port. The present was a crisis which demanded vigour; for it was necessary to convince America, that Britain would not suffer her laws, her government, and the rights of her subjects, to be violated with impunity. It might be alleged (ministers said) that the plan was wise and just, but that the execution would be difficult; to this they replied, that though the friends of British authority in America might suffer a little from their adherence to the cause, which was unpopular among the infatuated Bostonians, and our merchants might experience some diminution of trade from the determination of malcontents to refuse British commodities, and from the exclusion of commerce from this port, the inconvenience of either would be temporary and short. The present and proposed measures would either induce or compel those deluded men to return to their duty. No military force would be requisite to

to carry them into execution, for four or five frigates would be sufficient to effectuate our double purpose; but even if military force were wanted, it could act effectually without bloodshed. The other colonies, it was expected, would approve of the proper punishment being inflicted on those who had disobeyed the laws; but, even were they to combine with the rioters of Massachusets Bay, the consequences of this rebellion would rest not with us, but with themselves; we were only answerable that our measures should be just and equitable.

Opposition contends that the bill is unjust and unwise.

DURING the progress of the bill, petitions were presented, deprecating its acceptance, upon a very plain principle of jurisprudence, *that no man or men can justly be condemned without being heard;* that the charges against the Bostonians were adduced on the report of the governor, who was notoriously at variance with that town and the whole province; that the proposed measure proceeded from the accusation of an enemy, on which partial ground it contained a sentence delivered, without hearing the accused party: the outrages committed were not within the jurisdiction of the city of Boston; for the harbour was under the command of the executive power; and the governor, not the city of Boston, was answerable for a neglect of authority there. In the alleged precedents of London and Edinburgh, the cases were totally dissimilar; the offences had been committed within the jurisdiction of those cities, and no judgment had been passed, until the cause was fully canvassed, after hearing both parties.[k] This was

Precedents are discussed.

[k] The following statement, drawn up from the petitions, and from the reasonings of members inimical to the Boston port bill, and published in the periodical works of the times, shews the absolute inapplicability of Porteus's noted case to the riot at Boston.

PROCEEDINGS AGAINST

EDINBURGH,	BOSTON,
Began the 10th of February, 1737, and ended June 21st, having continued four months.	Began the 14th, and ended the 31st of March, 1774, being in all seventeen days.

The

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was the purport of the petitions, one of which, from natives and inhabitants of North America, was heard, but not regarded; another, presented by the agent of Massachusets Bay for the inhabitants of Boston, was not received. The bill was opposed in the house, on the two grounds of justice and expediency. The arguments on the first head were nearly the same as those which were employed by the petitioners, that the whole city of Boston was punished for an offence not committed within its jurisdiction, and without being heard in its own vindication; it was besides alleged, that even if the culpability had been admitted, the punishment far exceeded the crime. Corporations, for neglecting to suppress tumults within their jurisdiction, had been frequently fined, but never deprived of the means of industry and trade. The restoration of their port being rendered dependent upon the king, became in fact dependent on the king's ministers; and thus the Bostonians were placed without a trial, in a situation in which they must incur commercial ruin, or comply with ministerial mandates. Besides,

The provost and magistrates of Edinburgh, the judges of Scotland, and many other witnesses, examined at the bar of the house.

Council and evidence for the magistrates and city fully heard at the bar.

Two members for Edinburgh, forty-five for Scotland in the lower house; and sixteen in the upper.

Charge—an overt act of rebellion, and an atrocious murder; proved on a full hearing, and by competent evidences.

Frequent conferences held between the two houses, to compare the evidence, &c.

Punishment—a fine of 2,000*l*.

Proof—journals of the lords and commons in 1757, against Edinburgh and the bill.

Witnesses examined by the privy council, and their evidence suppressed.

The agent refused a hearing at the bar.

Not one member for Boston in either house, nor for all or any part of America, nor even a voice in electing one.

Charge—a riot and trespasses; no evidence, and no hearing.

Not one conference.

Punishment—the loss of their port, to the injury of the town, at the lowest rate, 500,000*l*. The restoration of their port, and the use of their property left at the king's mercy; after they shall have paid for rotten tea the price of sound, to the amount of 30,000*l*.

Proof—journals of the lords and commons 1774, and the Boston port bill.

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intelligence had arrived, that tea had been destroyed in most of the other colonies as well as Massachusets; why then make an act of parliament for punishing a part, until they had examined the conduct of the whole? It was contrary to justice, and the constitutional rights of British subjects, to be taxed without their own consent; and all the disaffection and resistance had arisen from taxation, combined with the weak and wavering systems of ministry. Administration, aware of the real cause, eagerly stifled inquiry, and called upon legislature to act upon their assertions and those of their agents. The law was inexpedient in a commercial view, as our trade must suffer, and that not by preclusion from Boston only; for other colonies were equally inimical to the tea-duty as Massachusets, and had discontinued, or at least diminished, their trade with Britain. It was politically hurtful; as it would irritate and tempt the colonies to resist, instead of intimidating them to submit; in short, it was the offspring of narrow understanding, incapable of comprehending the series of consequences which would and must result from such a law. In various opinions and sentiments the colonies were divided, but on the subject of taxation they were unanimous. Thus ministers and their supporters were taking the very means to drive to a confederacy, provinces, some of which might have been kept separately, and in the interests of the mother-country; and the combination would necessarily produce a forcible resistance to Britain, which, whatever should be its ultimate issue, must be pernicious to the contending parties. These reasons, however forcible they were, had no influence with the majority of the parliament; the bill was carried through both houses, and passed into a law, after a discussion of seventeen days.

Opposition predict that it will drive the colonists to confederated revolt.

Bill is passed into a law.

THE historian who impartially considers this momentous

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mentous law, with all the circumstances from which directly or indirectly it arose, will allow, that the proceedings of Massachusets Bay had for a series of years been dictated by principles wholly inconsistent with the constitutional authority of the British government over its subjects? that in opposing taxation, they had manifested a democratical spirit, not only in declarations and writings, but by acts of atrocious outrage; that it was very natural for ministers to be incensed against the avowers of such doctrines, and the perpetrators of such deeds: but he will also observe, on the other hand, that the fluctuation of mildness and harshness, coërcion and indulgence (the conciliatory measures being proposed only after rigorous experiments had been found ineffectual), enraged the colonists against the mother-country for her apprehended intentions, without leading them to fear her power. In the measures which were adopted in consequence of the riot in Boston, the historian must discover a violence and precipitancy which more obviously displayed the impulse of anger, than discriminating justice cautiously examining every circumstance, or expanded wisdom viewing causes, operations, and their consequences. The impartial reader must see, that an act of the British parliament, most important in its judicial operation, but infinitely more momentous in its political efforts, was passed when the legislative assembly was influenced by passion.

The Boston port bill being passed, a fleet of four ships of war was ordered to sail for Boston; and as a military force was thought necessary to reduce the inhabitants to obedience, general Gage, commander in chief in America, was appointed governor of Massachusets Bay, in the room of Mr. Hutchinson, who had asked leave to return to England. For the execution of the act, powers were granted to Gage, by commission under the great seal, to bestow pardons

dons for treason and all other crimes, and to remit fines and forfeitures to offenders whom he should think proper objects of mercy.

Soon after the enactment of this law, Mr. Rose Fuller made a motion for repealing the duty on tea, the only remaining part of Mr. Charles Townshend's plan of 1767, so obnoxious to America. 'While parliament, he said, punished the outrages of the licentious and riotous, it was wise to gratify the well-affected colonists. The greater number even of those who were most attached to the mother-country was inimical to taxation; the duty was itself trifling, and its abandonment would be a very small sacrifice, were it either to preserve or restore tranquillity to the provinces. The arguments of most speakers on this subject were nearly the same as had been employed in former discussions. Mr. Edmund Burke, however, delivered a speech on American taxation, which renders this motion an epoch in the history of philosophical and political eloquence. His ground of argument was, EXPEDIENCE PROVED FROM EXPERIENCE. He traced the history of the American colonies, and the policy of this country, from their first settlement to the commencement of the present reign, demonstrating the advantages of the former policy. The measures of the king's ministers were, he said, a deviation from that system; a deviation unjust both to Britain and her colonies. Having pursued their history from the beginning to the time at which he spoke, he divided it into periods, described and characterised each period, and the principal actors by whom they were respectively influenced, with the effects on the welfare of both the colonies and the parent state; he deduced from the whole the following recommendation: "Leave the Americans as they anciently stood: they and we, and their and our ancestors, have been happy under that system. *Oppose the ancient policy and practice of the empire, as a rampart against the specu-*

Burke's celebrated speech on American taxation.

lations

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lations of innovations, and they will stand on a manly and sure ground." In a few lines he marked the prominent features of ministerial policy, with the utmost accuracy of historical truth. "Never have the servants of the state looked at the whole of your complicated interests in one connected view: they have taken things by bits and scraps, just as they pressed, without regard to their relations and dependencies: they never had any system, right or wrong, but only occasionally invented some miserable tale of the day, in order meanly to sneak out of difficulties into which they had proudly strutted." Ministers opposed the motion, because a repeal at such a time would shew fluctuation and inconsistency, which would defeat the good effects of the vigorous plan that, after too long remissness, was at last adopted. The motion was negatived. The disposition to carry things to extremities with America was become very general. As the repeal of the stamp-act was much condemned, and its authors greatly decried by the ministerial adherents, they formed the most sanguine expectations that strong measures would prove ultimately successful.

Coërcive plan of ministers further developed.

THE Boston port bill was only a part of the coërcive plan which administration had now adopted. The civil government of Massachusets Bay was inadequate, ministers alleged, to the suppression of tumults and the preservation of the peace. To remedy this defect, an act was passed, which should deprive the lower house of assembly in Massachusets Bay of the privilege of electing the members of the council, and vest that privilege in the crown; authorise the king, or his substitute the governor, to appoint the judges, magistrates, and sheriffs, and empower the sheriffs to summon and return juries; and, for the prevention of factious assemblies, prohibit town meetings from being called by the select men, unless with the consent of the governor.[1] In sup-

[1] Stedman's History, vol. i. p 89.

port

1774. Bill for changing the civil government of Massachusets.

port of the bill, it was alleged, that the force of the civil power consists in the *posse comitatus*, but the posse are the very people who commit the riots. If the democratic part disregarded the laws, how were they to be enforced by the governor? He could neither appoint nor remove magistrates; that power was vested in the council, the members of which were dependent upon the people. The civil magistrate caught the tone and sentiments of the people among whom he lived; from them he ultimately derived his appointment; and, though the military forces were ever so numerous and active, they could not move to support magistracy, as no magistrate could call upon them for assistance. It was therefore necessary to alter the executive and judicial powers of the Massachusets government, and to form them upon the model of the royal governments in the more southern colonies. It was objected to the bill, that it was an arbitrary and dangerous measure to take away the civil constitution of a whole people secured by a charter, the validity of which was not so much as questioned at law, upon loose allegations of delinquencies and defects, without evidence to shew the necessity of such an act. The pretence of annulling the charter to strengthen government, could not stand the test of examination; for the colonies, already regulated in the manner proposed by the bill, were no less inimical to taxation, than Massachusets Bay. The part of the act which affected juries, was framed, without any pretence of abuse; and the case of captain Preston was in itself sufficient to shew, that juries could act justly even at the expence of popularity. The cause of the disturbances was not the system of polity; it was the imposition of taxes which had rendered the people dissatisfied, as well in the royal governments as in the other; and no remedy would be efficient, without the removal of the cause. This act had a quite contrary tendency; instead

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instead of giving strength to government, it was calculated to annihilate the remains of British authority in the colonies. A petition was presented by Mr. Bollan, the agent of Massachusets Bay province, praying that the bill might not pass until advice should arrive from the colony, and that they might be heard in their own defence by council, before their constitution, which had been confirmed by the most solemn charters, was subverted. In the conclusion they made a very strong and pathetic entreaty to the house to consider, "that the restraints which such acts of severity impose, are ever attended with the most dangerous hatred; in a distress of mind which cannot be described, the petitioners conjure the house not to convert that zeal and affection which has hitherto united every American hand and heart in the interests of England, into passions the most painful and pernicious; they most earnestly beseech the house not to attempt reducing them to a state of slavery, which the English principles of liberty that they inherit from their mother-country will render worse than death; and that the house will not, by passing these bills, reduce their countrymen to the most abject state of misery and humiliation, or drive them to the last resources of despair." After a very warm debate, the bill was passed by a great majority, on the 22d of May 1774, in the house of commons; and nine days after, the same arguments being repeated, it passed in the house of peers.

Bill for changing the administration of justice therein.

LORD NORTH now prepared a third bill, "for the impartial administration of justice in the cases of persons questioned for any acts done by them in the execution of the law; or for the suppression of riots and tumults in the province of Massachusets Bay in New England." According to the bill, the governor was empowered, if he found that any person indicted for murder, or some other capital offence, incurred in suppressing tumults and riots, should not be likely to have fair trial in the province, to send them

them to any other colony, or to Great Britain. This bill, the minister alleged, was necessary to give effect to the two others; it was in vain, he said, to appoint a magistracy that would act, if none could be found hardy enough to put their orders into execution. These orders would most probably be resisted, and this resistance would render force necessary to execute the laws; in this case, blood would probably be spilt. Who, said lord North, would risk this event, though in the execution of his clearest duty, if the rioters themselves, or their abettors, were to sit as the judges? How can any man defend himself, on the plea of executing your laws, before those persons who deny your right to make any law to bind themselves? He further alleged, that such an act was not without precedent; smugglers apprehended for offences committed on the coast of Sussex, had been made triable in the county of Middlesex, and the Scotch rebels in England. The proposed act did not tend to establish a military, but a civil, government; it gave to the province a council, magistrates, and justices, when in fact they had none before; it did not screen guilt, but protected innocence: we must shew the Americans, that we would no longer quietly submit to their insults, and that, when roused, our measures, without being cruel and vindictive, were necessary and efficacious. This act would complete his legislative plan; the rest depended upon vigilance and vigour in the executive government, which his lordship promised should not be wanting. The four regiments usually stationed over America, had all been ordered to Boston, and prosecutions had been directed against the ring-leaders in sedition; he made no doubt that, by the steady execution of the measures now adopted, obedience and the blessings of *peace* would be restored; *and the event, he predicted, would be advantageous and happy to this country.* This bill was opposed with no less vehemence and force than the two preceding

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ceding laws: the members in opposition denied its alleged foundation, that it would tend to the impartial administration of justice; if a party-spirit against the authority of Great Britain would condemn an active officer there as a murderer, the same party-spirit for the authority of Great Britain might here acquit a murderer as a zealous performer of his duty; but the fact was, that though by the bill the people were precluded from the exercise of their rights, no abuse had been proved, or even attempted to be proved: there was no evidence that justice had not been impartially administered by the tribunals established; on the contrary, the instances (colonel Barrè observed) which had happened, were direct confutations of such charges. The case of captain Preston was recent: this officer and some soldiers had been indicted at Boston for murder, in killing some persons during the suppression of a riot; they were fairly tried and fully acquitted. It was an American jury, a New England jury, a Boston jury, which tried and acquitted the accused. Captain Preston had, under his hand, publicly declared, that the inhabitants of the very town where their fellow-citizens had been slain, acquitted himself. This was the very case which the act supposed. The precedents attempted to be drawn from trials for smuggling, it was contended, were, like those adduced to support the former bills, totally inapplicable. It was not difficult for either a prosecutor or a defendant in Sussex, to attend the trial in Middlesex; but the act now proposed was a virtual indemnity for all murders and capital offences committed in the alleged execution of the laws. The distance was so great, and the expences would be so heavy, that scarcely any man would undertake to be a prosecutor, even though his near relation were murdered. Ministers proceeding on the partial information of interested partisans, and upon their misrepresentations had framed the most destructive laws; the con-

consequence of this act would be, the establishment of a military government, replete with the most lawless violence. The people had been long complaining of oppression; and now, that so many troops were ordered to Boston, they would consider them as the instruments of farther tyranny, which there were no longer efficient courts of law to restrain. The soldiers, it was said, unawed by the civil power, and prepossessed with an idea that the people were rebellious, would, in spite of the vigilance of their officers, be guilty of such violence as would rouse its objects to resistance; and the consequence would be open rebellion. "You are (said colonel Barré, in an eloquent and impressive peroration) urging this desperate, this destructive issue; you are urging it with such violence, and by measures tending so manifestly to that fatal point, that, though a state of madness only could inspire such an intention, it would appear to be your deliberate purpose. You have changed your ground; you are becoming the aggressors, and are offering the last of human outrages to the people of America, by subjecting them in effect to military execution. I know the vast superiority of your disciplined troops over the provincials; but beware how you supply the want of discipline by desperation. Instead of offering them the olive branch, you have sent the naked sword; by the olive branch, I mean a repeal of all the late laws, fruitless to you and oppressive to the colonies. Ask their aid in a constitutional manner, and they will give it to the utmost of their ability; they never yet refused it when properly called upon; your journals bear recorded acknowledgments of the zeal with which they have contributed to the general necessity of the state: they might be flattered into any thing, but are not to be driven. Have som[illegible]gence to your own likeness; respect their st[illegible]nglish virtue; retract your odious exertions of authority; and remember, that the first step towards making [illegible]hem

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them contribute to your wants, is to reconcile them to your government." Mr. Rose Fuller, venerable for his years and parliamentary experience, and for independence of character, by no means uniformly an opponent to government, and indeed belonging to no party, ended a long speech against this bill with the following words: "I will now take my leave of the whole plan: you will commence their ruin from this day. I am sorry to say, that not only the house has fallen into this error, but the people approve of the measure. The people, I am sorry to say it, are misled; but a short time will prove the evil tendency of this bill. If ever there was a nation running headlong to its destruction, it is this." Whatever reasons could be urged against the bill, the votes for it were very numerous, and it passed the house of commons by a great majority. No less strength of argument was exerted in opposition to this measure in the house of lords; and though from the ample discussion which it had undergone among the commons, little novelty of reasoning could be expected from either side, yet one new consideration was urged against it by the opposing lords. The means adopted, it was alleged, for retaining the colonies in obedience by an army rendered independent of the ordinary course of law in the place where they were employed, would prove the ruin of the nation, by extending that instrument of arbitrary power. Strong protests were framed against the three several bills. The protesting lords were chiefly those of the Rockingham part of opposition; lord Chatham was himself confined by illness; neither his name, those of earls Temple or Shelburne, of lord Camden, or any other of his particular friends, are found in the lists of the dissentients. In the house of commons the two divisions of anti-ministerial senators spoke strenuously against the series of coërcive acts. The orations on these questions displayed distinguished ability on both sides, but the most trans-

transcendent genius on the side of opposition. Besides Mr. Burke, that party now possessed Mr. Charles Fox, whose powers far surpassed those of the most brilliant and illustrious commoners that were ranged on the side of administration. This extraordinary man, with his mind fast approaching to maturity, on being abruptly dismissed from his office of a lord of the admiralty, had turned his strength against the minister, and proved the most formidable adversary that he ever encountered while at the head of affairs. From the nature of the subjects, a great portion of the speeches on the three bills being intended to demonstrate their probable effects either good or bad, was prophetic. On comparing the predictions of ministry and of opposition with the actual course of events, the comprehensive reader must see that the great part of what the ministers advanced proved false, and of what opposition advanced proved true. Ministers were, indeed, beyond all question extremely deficient in information. They had by no means employed sufficient pains to procure an adequate knowledge of facts; but formed their judgment and plans from imperfect materials. Opposition, especially governor Pownall, governor Johnstone, and far beyond all, Mr. Burke, acquired so extensive an acquaintance with the state, sentiments, opinions, and characters of the respective colonies, as afforded light both to themselves and the rest of the party. Opposition, indeed, was anxious to open, and ministers to shut, all avenues to knowledge concerning North America, the most important subject of their counsels and plans.

Quebec bill.

THE session was now drawing near the usual season of recess, and many of the members, thinking that no business of importance would be laid before parliament previously to its prorogation, had retired into the country. They were, however, mistaken in their opinion; the plan of government respecting America was not yet complete. In the beginning

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of June, a bill was brought into the house, for the administration of the province of Quebec. The professed objects of the proposed arrangements were, to ascertain the limits of that province, which extended far beyond what had been settled as such by the king's proclamation of 1763; to secure to the inhabitants the free exercise of their religion, and to the Roman catholic clergy those rights which were agreeable to the articles of capitulation at the time of the surrender of the province; to restore their ancient laws in civil cases without a trial by jury, as being more acceptable to the French Canadians than the English laws with the trial by jury; and to establish a council, holding their commissions from and at the pleasure of the king, who were to exercise all the powers of legislation, that of imposing taxes only excepted. Such a council, composed principally of the Canadian noblesse, it was supposed, would be more agreeable to the bulk of the people, than a house of representatives.

Arguments for the bill;

In favour of this law, it was argued, that political establishments ought to be adapted to the sentiments, opinions, manners, and habits of those for whom they were formed. The French, who constituted a great majority of the inhabitants of Canada, having been accustomed to an absolute government, neither valued nor understood a free constitution. The Canadian French abhorred the idea of a popular representation, from observing the mischiefs that it produced in the colonies adjoining their country. They were not yet ripe for a British constitution; their landed property had been all granted, and their family settlements made, on the ideas of French law; as for the laws concerning contracts and personal property, they were nearly the same in France as in England. Having been wholly unused to trial by jury, they disliked it as an innovation; and the treaty of Paris had secured to the French Canadians the free exercise of their religion, as far as was consistent

sistent with the laws of England. Our acts concerning popery, it was asserted, did not, like the king's supremacy, extend beyond the kingdom; the Roman catholic Canadians were obliged to give a proof of their allegiance; and an oath was prescribed as a test against papal claims incompatible with the duty of subjects. By securing their tithes to the popish clergy, the act did no more than restore them to the situation which they held at the conquest; subject, however, to the disadvantage, that no person professing the protestant religion was to contribute any thing to their support. The extension of the province beyond the limits described in the proclamation, was justified by the plea, that several French families were settled in remote parts of the country, beyond the former districts, and an entire colony was established among the Illinois Indians. CHAP. XII. 1774.

The arguments against the bill were reducible to two heads: the incongruity and danger of an arbitrary government, established by the British legislature in any part of the empire, and the establishment of the Roman catholic religion. The measure was said to be an experiment of absolute power tried in one colony, in order to extend by degrees that mode of ruling to all the others. The immense enlargement of the boundaries of Canada was alleged to be for the same purpose, to have a powerful instrument for subjugating the colonies. The proposed annihilation of the popular assembly was attributed to the dislike which ministry entertained for the rights of the people. The great security of liberty consisted in the power of having civil actions tried by a jury, as in cases of arbitrary imprisonments, and many other violations of the rights of subjects. This had always been the mode of seeking redress; and the English laws would be greatly aggrieved in being subjected to French customs, and French forms of trial. On the sub- against it.

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ject of religion, it was contended, that the capitulation had only provided that the Roman catholic faith should be tolerated. This privilege, opposition was willing to allow them in the fullest extent; but by the proposed bill, they said, instead of being tolerated, it was established. The people of Canada had hitherto been happy under toleration, and looked for nothing farther. By this establishment, said they, the protestant religion enjoys at least no more than a toleration; for the popish clergy have a legal parliamentary right to a maintenance, while the protestant clergy are left at the king's discretion. Various amendments were proposed in the house of commons, and several changes took place; but the ground-work continued the same. A petition was presented by the city of London to the king, praying him to withhold the royal assent: as the bill regarded religion, a very great popular clamour was excited, and an apprehension of popery revived. It went through the houses, however, with a very great majority, and was, on the 22d of June, passed into a law.

The bill is passed.

ALTHOUGH America occupied, during this most memorable session, the principal attention of parliament, several other affairs of considerable importance came before the houses. The diminution of the gold coin had been long a subject of general complaint. In the close of the session of 1773, it had been brought before parliament; and an act was passed on the last day of the session, to prevent the counterfeiting or diminishing the gold coin of the kingdom. By the law, the loss on the diminished gold, amounting to a very large sum, fell upon the immediate possessors, and thereby principally affected the great money-holders or bankers. During the recess its operation had been severely felt, and the more especially as the commercial world had not yet recovered from the distresses occasioned by the failures of the former year. The law had become very

Gold coin.

very unpopular at the commencement of the session of 1774; and several strictures were passed on the gold coin act, which was affirmed to be highly oppressive and injurious to individuals. Bankers had received coin according to its nominal value, on the public faith, and under the sanction of government. It was very unjust that a particular body of men should be obliged to make good to the public a loss sustained through the iniquity of others, and the culpable negligence of the police in not restraining such criminal and pernicious practices. The lateness of the season at which the law was proposed, when many members had left town, and the hurry with which it had been carried through the houses, so as to afford no time for examining its nature and tendency, also underwent severe animadversion. It was answered by the minister, that the evil had been so urgent as not to admit of any delay, and that it was necessary to be remedied, even late as it was in the session. He denied that it was unjust; for the loss, he contended, had fallen on those who had been gainers by the situation which occasioned it, and who had always profited by the public money. A committee, however, was appointed to take into consideration the state of the gold coin, and in consequence of their report, weights were established under the direction of the officers of the mint, a conformity to which was necessary to constitute a current gold coin, and a re-coinage took place agreeably to that standard. The effect of these regulations was, that no person could be defrauded in the receipt of gold coin, except by his own negligence in not weighing the proffered money, and this was a very material reform in the great medium of commerce.

Inquiry into the state of the prisons. Howard.

During this session, a committee having been appointed for inquiring into abuses practised in gaols, among other gentlemen examined was Mr. Howard, sheriff of Bedford, a man of exquisite philanthropy,

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who, it was found, had visited those mansions of misery through the greater part of England, at a very heavy expence, and with a continual risk of his life, in order to devise and administer relief. From the reports delivered by him to the house, several improvements were immediately suggested, and many more were ultimately devised, which have since tended so powerfully to mitigate human wretchedness. The thanks of the house were unanimously returned to the benevolent man who had inspected such scenes of distress, for the purpose of alleviation; and the various enquiries which arose from the efforts of Mr. Howard, tended not only to soften the evils of poverty, but to diminish concomitant evils, and to prevent the frequency of infectious distempers, which were before so prevalent, from the squalid and noxious atmosphere of mismanaged gaols.

Libels.

SOME proceedings on an inclosure bill gave rise to a libel, which was severely prosecuted by the commons. Several petitions, it seems, had been presented against the inclosure in question; and the attention bestowed upon these by the speaker, had not satisfied the advocates of the bill. A most virulent letter was immediately printed in the Public Advertiser, charging sir Fletcher Norton with gross partiality. The commons not only acquitted their speaker of the accusation, but voted the letter a false, scandalous, and malicious libel, contrary to all law and justice, and an open violation of their privileges. The printer being summoned, threw himself upon the mercy of the house. He declared that he had received the letter from Mr. Horne; that it had been published in the hurry of business; and, as he had never before offended the house, he expressed his hopes for its compassion. On inquiry it was found, that Mr. Horne was the reverend Mr. John Horne, clergyman of Brentford. It was moved, that Mr. Woodfall, the printer, should be committed to

to the custody of the serjeant at arms; and Mr. Charles Fox, ardent in enmity to the licentiousness of the press, friendly as he has ever shewn himself to its liberty, proposed that Newgate should be the scene of confinement: the more gentle motion, however, was carried. Mr. Horne was next summoned, but eluded the order, by pretending not to consider himself as the person to whom it was addressed. The next day being taken into custody; Mr. Horne pleaded not guilty. The only evidence against him being Mr. Woodfall, who was thought to be incompetent because he was himself in custody and a party, Mr. Horne was discharged. Mr. Fox the same day complained of a letter in the Morning Chronicle, as a libel on the constitution and the royal family; and, at his instance, directions were given for prosecuting the printer.

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THE supplies proposed for this year caused great debates: opposition alleged, that the number of forces, twenty thousand for the fleet, and eighteen thousand for the army, was greater than a peace establishment required; and the expences being in several articles, and upon the whole, higher than usual, produced loud complaint and severe censure from opposition. The minister admitted the expenditure to be great, but insisted that it arose from circumstances which he could not prevent, *and, for the future, he was confident he would be able to lessen the expenditure.*

Supplies.

THE house of lords this session, in its judicial capacity, determined the great question of literary property, which was brought before them by an appeal from a decree in chancery. The present age, in this country, favourable to every species of meritorious and beneficial industry, has been peculiarly advantageous to literary ability. In former times, when the circulation of learned productions was confined, and the number of readers small, genius often lay buried in obscurity, and merit was not sufficient, without

Literary property is ascertained by a decision of the house of peers.

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without a fortunate coincidence of circumstances, to ensure protection and support: the most successful adventurers could receive no other recompence than the patronage of the great, and at best could only enjoy a precarious and irksome dependence. Since the art of printing has rendered the multiplication of copies easy, and the progress of science and erudition has introduced a taste for reading among numerous classes of people, authors have had it in their power to repay themselves for their labours, without the humiliating idea of receiving a donative. But the degree in which they were to reap this benefit, depended on the security and the duration of their literary property. The protection afforded by the laws of the country to this species of labour, is not only important to the author, but also to the public; for literary works, like all others, will be undertaken and pursued with greater spirit, when, to the motives of public utility and fame, is added the inducement of private emolument.

THE occasion which brought this question before the public was as follows: certain booksellers had supposed, that an author possessed by common law an exclusive right for ever to the publication of his own works, and consequently could transfer that right. On this supposition, some of them had purchased copy-rights, and had prosecuted others who published the same books, as invaders of an exclusive right which they had acquired by purchase. A decree of chancery had been obtained in favour of Mr. Becket, a prosecutor on these grounds, against Messrs. Donaldsons, as pirates, in having published a work belonging to Mr. Becket. The defendants had appealed to the house of peers; and the question rested principally on three points: 1st, Whether the author of a book, or literary composition, has a common law right to the sole and exclusive publication of such book, or literary composition? 2d, Whether

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an action for a violation of common law right, will lie against those persons who publish the book or literary composition of an author without his consent? and, 3d, How far the statute of the 8th of queen Anne affects the supposition of a common law right? Under the first head, it was contended by the advocates of perpetual literary property, that this right was founded in the general principle by which every man is entitled to the fruits of his own labour. Whoever by the exertion of his rational powers has produced an original work, appears to have a clear right to dispose of the identical work as he pleases; and any attempt to vary the disposition, seems an invasion of that right. The identity of a literary composition consists entirely in the sentiment and language: the same conceptions, clothed in the same words, must necessarily be the same composition; and whatever method be taken of exhibiting that composition to the ear or the eye of another, by recital, by writing, or by printing, in any number of copies, or at any period of time, it is always the identical work of the author which is so exhibited. On these grounds of natural justice, it was contended, that common law respecting literary property was founded, and by that common law the right of an author or his assignee was perpetual. A statute of queen Anne had declared an author and his assigns to have a right to a work for fourteen years, and for fourteen years more if the author should so long live. Certain judges, among whom was lord Kaimes in the court of session [m], and Yates [n] in London, denied that ever such a right existed at common law. This opinion they founded on the following allegations: that a literary composition is in the sole dominion of the author while it is in manuscript; the manu-

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[m] On a different case, but the same general principle, and in which Donaldson was also defendant, a little before the decree of chancery.

[n] In the case of Andrew Millar plaintiff, charging Robert Taylor defendant, with publishing and selling copies of Thomson's Seasons, of which Millar alleged himself to be sole proprietor.

script

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script is the object only of his own labour, and is capable of a sole right of possession; but this is not the case with respect to his ideas. *No possession can be taken*, or any act of occupancy asserted, on mere ideas. If an author have a property in his ideas, it must be from the time when they occur to him; therefore, if another man should afterwards have the same ideas, he must not presume to publish them, because they were pre-occupied, and become private property. Lord Mansfield shewed the fallacy of the maxim, that nothing but corporeal substance can be an object of property; reputation, though no corporeal substance, was property, and a violation thereof was entitled to damages. Every man's ideas are doubtless his own, and not the less so because another person may have happened to fall into the same train of thinking with himself: but this is not the property which an author claims; it is a property in his literary composition, the identity of which consists in the same thoughts, ranged in the same order, and expressed in the same words. This illustrious judge conceived a common law right to the copy of his work to be vested in an author and his assigns originally, and still to exist, notwithstanding the statute of queen Anne. It was agreeable to the principles of right and wrong, convenience and policy, and therefore to the common law. The court of chancery, proceeding upon its conception of moral justice and general equity, had uniformly decreed that this, like every other species of property, was perpetual to the original acquirer, his heirs, assigns, or others to whom it might be transferred by gift, sale, or any other means of transmission. Lord Camden did not contest the conformity to natural justice of either lord Mansfield's principle or the chancery decrees, nor undertake to prove that there was any reason in the nature of literary productions for rendering the property of these less durable than that of other fruits of labour, but con-

fined himself to what he apprehended to be the written law of the land. The statute of queen Anne, he affirmed, took away any right at common law for an author's multiplying copies exclusively for ever, if such right ever existed. CHAP. XII. 1774.

THE house of peers concurred in his opinion, the decree was reversed, and thenceforth literary property depends on the statute of the eighth of queen Anne, which secures to the author or his assigns an exclusive property for fourteen years, and fourteen years after the expiration of that period if he so long live; but, on the expiration of the one or both of these terms, ordains the copy-right to be at an end.

ON the 22d of June, was concluded a session of parliament, as important as any that had occurred since the revolution. Changes of great magnitude had been effected in certain colonies, which placed them on a footing totally different from the other British dominions. Civil and political right had been annihilated, and arbitrary power had been established over a considerable part of North America. From those measures, ministers and their supporters, both in and out of parliament, entertained the most sanguine expectations that submission would be immediate, and that complete obedience and tranquillity would be established with permanent security; while, on the other hand, their opponents apprehended, from the system which they were pursuing, more bitter discontent, and more obstinate resistance, than any that had been exhibited in the former dissensions.

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Continental affairs.—Progress and conclusion of the war between Russia and Turkey—terms of peace—motives of Catharine.— Poland.— Views of Prussia and Austria.— France.—Death of Louis XV.— character,— tool of his favourites, he did not discern the commencing changes of public opinion.—Promising beginnings of Louis XVI.—Spain deprives the inquisition of its most terrible powers.—America.—Effects of the Boston port bill—ferment through the provinces—communicates to other colonies.—Resolutions of the provincial assemblies—general concert proposed—solemn league and covenant.—A general congress meets at Philadelphia—approves of the conduct of Massachusets, and promises support—declares principles and objects of association. —Declaration of rights—of grievances and proposed redress. —Petition to the king.— Address to the people of Britain. —Of Canada.—Remonstrance to general Gage.—Address to the colonies.— Meeting breaks up.— General spirit of the colonial proceedings.—Military preparations.—Massachusets Bay the great hinge of peace and war—contention with the governor —forms a provincial congress, which assumes the supreme power.

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1774. Continental affairs.

IN continental Europe, the Russians and Turks still continuing their bloody war, occupied the chief attention of their neighbours. Vigorous preparations were made on both sides; Catharine, from the superiority which she had manifested during the greater part of the war, expected that success must ultimately attend her armies when powerfully reinforced; while the Turks, elated with the advantage of the preceding campaign, and farther encouraged by the success of the rebellion in the eastern and southern provinces of Russia under Pugatcheff, hoped by military exertions to regain what they had lost. The Porte excited the Tartars to join the Russian

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Progress and conclusion of the war between Russia and Turkey.

sian rebels, in order to increase the disturbances of Russia on that side, while the Turkish force should be concentrated against their main army on the Danube. In the beginning of this year, the death of the emperor Mustapha produced a change in the disposition and conduct of the army. Considering his son Selim, then in the thirteenth year of his age, as too young to sustain the reins of government in so critical a situation of affairs, he appointed his brother Abdulhamet to succeed him on the throne. Some of the Janizaries were dissatisfied with the succession of the late sultan's brother, wishing Selim to be placed immediately on his father's throne; and, as these troops influenced the whole Turkish army, their dissensions created parties among the rest of the forces. A very great army, however, was levied, consisting (when they arrived at the Danube) of two hundred thousand men. Marshal Romanzow was posted on the other side of the river with about eighty thousand soldiers. After a considerable opposition, Romanzow crossed the river, and Bulgaria again became the scene of war. A severe engagement took place between general Satioff at the head of a detachment of Russians, and a body of Turks, in which the former with much difficulty kept the field. On the 20th of June, generals Kaminshi and Suwarrow encountered the Reis Effendi, who was at the head of forty thousand men; but both the cavalry and infantry of the Turks deserted their colours and camp, without striking a blow. From this time the Ottomans were in every quarter seized with a dismay that made them absolutely refuse to face the enemy; and, in fine, they mutinied against their own leaders. They plundered the baggage, robbed and murdered their officers, disbanded themselves, and pillaged their own country all the way to Constantinople. The grand camp under the vizier was deserted, and his immense army crumbled away to an inconsiderable number.

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number. Marshal Romanzoff, not failing to take advantage of this dreadful situation of the enemy, cut off all communication between them, their magazines, and the capital. The Turkish leaders had now no alternative, but to sue for peace on such terms as the conqueror should dictate. The conditions were, the cession of Asoph, Kinbrun, and Jamikala, to the Russians; the free navigation of the Propontis, Euxine, and Archipelago; the independence of the Crimea; and the sum of 4,500,000 rubles[a], as an indemnification for the expence of the war. So moderate were these terms, that they were little more than what Russia had demanded while the Turkish armies were entire. Did we consider Russia merely in relation to her enemy, we might be surprised that she did not impose harder conditions on a foe that had given her great disturbance, had actually been the aggressor, and was now at her mercy; but, on viewing her situation, both internally and relatively to other powers, we must be convinced that she was guided by sound policy. There were two powerful parties at the court of Petersburg, one headed by count Panin, and the other by count Orloff: the former had recommended peace on moderate terms; the latter the continuance of the war, unless the enemy yielded to the conditions which Russia chose to dictate. Catharine, who found it her interest to observe a neutrality between the two parties, both of which she knew to be zealously attached to her own government, had now an opportunity of gratifying them both; the one by concluding peace, the other by imposing the terms. The rebel Pugatcheff, a man of great abilities, intrepid courage, and rapid enterprize, was becoming daily more formidable. Her treasure was nearly exhausted by the expences of the war, and the improvement of her extensive do-

Terms of peace.

Motives of Catharine.

[a] At 4s. 6d.

minions

minions was greatly interrupted. The Poles were in many places in a state of insurrection, especially in her part of the divided territories; and combinations were forming for a more general assertion of their rights. Austria, although she agreed in the partition of Poland, was not by her recent share of spoils lulled to a forgetfulness of the dangers which might accrue to her from her partners in the plunder. She still regarded with the most vigilant jealousy the progress of the Russian arms so near her frontiers. The king of Prussia himself, closely connected as he was with the Czarina, by no means desired her aggrandizement where he could not come in for a share of the accession. The more southern powers she well knew to be very much inclined to oppose her and her advances; her ally, Great Britain, was fully occupied with her own internal and colonial affairs. For all these reasons, it was the interest of Catharine to conclude a peace on the terms which she proposed; and she soon reaped the advantage of her policy, by being enabled to vanquish the Polish insurgents, to crush intestine revolt, and bestow a less divided attention on improving her immense dominions in various constituents of national prosperity.

Poland. Austria. Prussia

In France, an event took place this year, which caused a great change in the internal policy of that country. On the 10th of May, Louis XV. died, in the sixty-fifth year of his age, and the fifty-ninth of his reign. This king, who possessed very moderate talents, was educated in the ignorance so general among arbitrary princes in long established governments, where little personal effort is necessary to maintain a slavery confirmed by prescription, and in that luxury which had so long prevailed at the court of France. Of a pleasing figure, he acquired those exterior accomplishments and light graces which the joint vivacity and frivolity of fashionable France were so well fitted for bestowing. He was in one sense a man of good dispositions, for he was

France. Death of Louis XV. Character.

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mild and compassionate, unless driven to be otherwise by the impulse of his counsellors. He did not exercise tyranny from inclination and choice, but often permitted it from imbecility. Having neither vigour of understanding nor firmness of mind for governing himself, he was through life the pupil of others. Always in a state of intellectual minority, the administration of his affairs was wise or foolish, good or bad, according to the character of those who happened to be his guardians. Thus, during the ministry of cardinal Fleury, his policy was pacific; afterwards aggressively warlike and ambitious; and in the latter period of his life, he was again pacific. Under some ministers, he was moderate in his internal government; under others, he was despotic. When priests presided in his cabinet, he was the tool of clerical encroachment; when deists took the direction, he was the agent of irreligion, by weakening the veneration of his people for the institutions of the church. His violent proceedings against the parliaments arose not from the violence, but from the weakness, of his character; he was then under the tutelage of tyrannical ministers. A reign of near sixty years bears no stamp of uniformity of character. His principles, sentiments, and conduct, varied with the successive changes of his ministers and mistresses. Louis XV. was nominally, but not really, the sovereign of France: for civil, military, and political operations, for every department of government, we find the real sovereigns in the royal favourites. Louis was, however, sufficiently qualified for being a mere pageant of state, and going through the forms of sovereignty in the paralysed stillness of undisputed despotism; he was therefore very fit for sitting on a throne so much adored as it had been in the reign of his predecessor, and as it was during a great part of his own. Toward the close, a spirit manifested itself which required a prince of a different character to manage; and though its operations were checked, yet the repression

The tool of his favourites.

He did discern the commencing change of public opinion.

repression was only temporary, and the very means employed to stop its progress, gave it ultimately an augmented force. Louis was succeeded by his grandson, who ascended the throne by the title of Louis XVI. This prince, long distinguished for amiableness of disposition, was extremely popular. On his accession to the throne, he shewed himself sensible that a change was taking place in the national sentiments, and that it was the wisest policy in a king to accommodate his administration to such a change. He therefore annulled the unpopular measures of the late reign, set about restoring the ancient parliaments, and promoted popular men to various offices; at the same time, however, he circumscribed the pretensions of the parliaments, granting them only their established functions, without suffering them to make those encroachments on kingly prerogative, which, guided in some instances more by the principles of liberty than by prevailing usage, they had attempted during the latter years of his grandfather. He had not, indeed, changed the ministry, but he had changed the counsels. The nation, delighted with the restoration of parliaments and the other popular acts of their monarch, overlooked the circumscriptions; and as the king appeared to make the happiness of his people the rule of his conduct, he was regarded by them with the warmest affection: such was the first prospect of the reign of Louis the sixteenth.

Promising beginning of Louis XVI.

The king of Spain was at this time engaged in a war with the emperor of Morocco, which was carried on in desultory hostilities for several years with very little success. This year, however, is remarkable in Spain; for in it that tremendous instrument of superstition and tyranny, the inquisition, was deprived of its most formidable powers. The court of Madrid, intent on the promotion of manufactures and commerce, and aware of the obstruction which they received from the dread of such an intolerant

Spain deprives the inquisition of its most terrible powers.

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tribunal, took from it its jurisdictions and its prisons, and rendered it little more than a convocation for religious discussion.

Having narrated the measures pursued concerning America, and stated the effects which they were expected to produce, our history now proceeds to their actual consequences.

America.

Effects of the Boston port bill.

In the month of May the intelligence arrived at Boston, of the act passed by the British parliament for shutting up the port. This information, together with a copy of the act, was immediately published on a paper with a black border, symbolical of mourning, and hawked about the streets as a barbarous and bloody murder of rights and liberties. The fatal news was wholly unexpected, and the consternation which it caused among all orders of people was inexpressible; and nothing was to be heard from the Bostonians, but frantic expressions of rage and resentment against the tyranny and inhumanity of the British ministry and parliament; vengeance was loudly demanded and threatened.[b] They lost little time in general exclamations and menaces, but proceeded to consider what could be done for redress: a town meeting was held, resolutions were proposed and adopted, which, after expatiating on the impolicy, injustice, and cruelty of the act, and appealing from it to God and to man, addressed themselves particularly to the other colonies, and invited them to enter into an agreement to stop all imports and exports to and from Britain and Ireland, and every part of the West Indies, until the act should be repealed; the only measure (they said) that was left for the salvation of North America and her liberties. These resolutions were transmitted with great expedition to the rest of the provinces, and copies of the act were multiplied and dispatched to every part of the continent with wonderful celerity;

Ferment through the provinces.

Communicate with the other colonies.

[b] Stedman's History of the American War, vol. i. p. 93.

which

which, like the torch of the fury, set in a flame the countries through which they passed: in the several colonies great bodies of the people were called together by public advertisement, and the odious law was burned with awful solemnity. Meanwhile general Gage arrived in his government at Boston: this officer being personally known there, as well as in other parts of America, was much beloved and highly respected: he was, besides, successor to a very unpopular governor. These circumstances, however, which would have been so auspicious to his entrance upon government had affairs been in a tranquil state, were now counteracted by the prevalent rage against Britain. The assembly met; and he informed them, that on the 1st of June they were to remove to Salem, which was thenceforward to be the seat of the provincial government. The assembly, not pleased with this intimation, petitioned him to appoint a day for a general fast and prayer; but he declined compliance, and soon afterwards adjourned the session to the 7th of June, appointing Salem to be the place of meeting.

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THE other colonies having received copies of the act, and of the Bostonian addresses, resolved to support the cause which they considered as their own. However much the middle and southern colonies had, on general principles of government, differed from their northern neighbours, they agreed in repugnance to taxation. On that ground they had all resisted the import of tea, and thus had shared in the alleged criminality of Boston. Though some were more temperate than others, they all concurred in expressing the greatest disapprobation of the measures pursued by the British government, an abhorrence of the new act, a condemnation of the principles on which it was founded, and a resolution to oppose its effects, and support their brethren who were to be its immediate victims. Indeed, if mi-

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nistry had formed a design of driving the Americans into confederation, they could not have devised more effectual means, than by punishing and disfranchising one colony, because unknown persons in it had been guilty of an outrage that sprung from resistance to an impost which all the colonies reprobated. The assembly of Virginia, which was sitting at the time when the dispatches from Boston arrived, set the example; in that meeting a resolution was passed, for appointing the 1st of June, the day on which the Boston port bill was to take effect, to be set apart as a day of fasting, prayer, and humiliation, "to implore the divine interposition to avert the heavy calamity which threatened destruction to their rights, with all the evils of a civil war, and to give one heart and one mind to the people, firmly to oppose every injury to American liberties." Informed of the resolution, and of the general spirit of the assembly, the earl of Dunmore determined to dissolve that body; but the members held a private meeting, in which they drew up a declaration, setting forth, that the punishment about to be inflicted on the inhabitants of Boston, in order to compel *them to submit* to the PAYMENT OF UNCONSTITUTIONAL TAXES, was in truth an attack on all the colonies, and would ultimately prove destructive to American rights and liberties, unless their united wisdom should be applied to prevent its operation and effects. They therefore recommended to the committee of correspondence, to propose to the committees of the other colonies, that an annual congress should be held for all the colonies, to deliberate on such general measures as the common interest of America might from time to time require. Virginia had always been distinguished for loyalty and attachment to the British constitution; and in its present proposition to combine against acts of government, it declared itself to be determined by constitutional principles. At Philadelphia, three hundred of the inhabitants assembling,

Resolutions of the provincial assemblies.

General concert proposed.

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assembling, appointed a committee to write to Boston. In a letter, temperate yet firm, they recommended that lenient measures should be tried before they had recourse to extremities; and that commerce with Britain should not entirely be discontinued until all measures had failed. If, by satisfying the East India company for the teas, they could terminate the unhappy controversy, and leave to the Bostonians their ancient constitutional liberty, there could be no doubt what part wisdom would dictate. But the matter in consideration was not now the value of the tea, it was the indefeasible right of giving or withholding their own money, a right from which they could never recede. At New York, though moderate and temperate in its conduct, one resolution of a contrary kind was carried in a town meeting; this was, to prevent the prosecution in the provincial courts, of any debts owing by inhabitants to Britain. This resolution, however, was neither adopted nor confirmed by the provincial assembly held soon after, nor was it any where carried into practice. In general, the proposals for a total interruption of commerce, were by no means favourably received, but considered as the last deplorable resort when every other expedient should prove ineffectual. The middle and southern colonies were at that time evidently desirous of avoiding a rupture with Britain. On the other hand, all the colonies concurred in a resolution to resist taxation, and to hold a general congress; and in the meantime they made very liberal contributions for the relief of the Bostonians. While the Boston port bill was producing an effect so very opposite to that which its framers and supporters expected and intended, copies arrived in Massachusets Bay of the other two bills for altering the constitution of that province. The opposition to government now became more vehement through the colonies. Concerning the Boston port bill, the other provinces had not taken their

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their tone from Massachusets Bay, but had resolved to support the cause on the principles of the British constitution. The Massachusets colonists had then applied to their neighbours as suppliants; and, somewhat doubtful of the reception that they should meet, had cautiously abstained from promulgating doctrines and sentiments which might shock the loyalty and constitutional principles of their southern brethren. Assured of the co-operation of the other colonies in resisting taxes, and trusting that the concert might be more extensive, they now took a lead; and henceforward the deliberations of the whole most frequently bore the stamp of New England republicanism. The colonists of Massachusets now determined to carry to the utmost extremity their resistance to the British government. By the suggestion of the provincial assembly, an association was framed, the subscribers to which most solemnly bound themselves to break off all commercial intercourse with Great Britain from the last day of the month of August, until the Boston port bill, and the other obnoxious acts of parliament, should be repealed, and the colony restored to the exercise of its chartered rights; to renounce all dealings with those who should refuse to enter into this agreement; or who, having engaged, should afterwards violate their compact. To sanction the whole, a resolution was added, that the names of delinquents should be published in the newspapers as enemies to their country.[c] To this agreement they gave the memorable title of the SOLEMN LEAGUE AND COVENANT; which, having been a name affixed in the last century to an engagement inimical to the church and monarchy, afforded some indication of the views which they entertained, and the lengths to which they were disposed to proceed. In most of the colonies, there were three classes of political opinions; the first, of those, who resolved to resist taxa-

Solemn league and covenant.

[b] See Stedman and Ramsay.

tion,

tion, and advised the most violent measures to be immediately adopted; secondly, of those persons who, equally determined to oppose British imposts, were more cautious and temperate, and who wished to try the effect of conciliatory propositions, before they resorted to the extremity of resistance; the third consisted of approvers of the British system and acts. This third set was small in number, and of no weight in the colonial deliberations. The second, in the beginning, predominated in most of the other colonies; the first was paramount in Massachusets Bay, where there evidently prevailed; not merely a disposition to resist acts on the ground of incompatibility with the rights of British subjects, but of contrariety to their conception of republican freedom.

General Gage, to counteract the covenant, issued a proclamation, which declared it illegal and traitorous, contrary to the allegiance due to the king, and subversive of the authority of parliament; and cautioned the people against giving any countenance to that engagement, under the penalties annexed to such heinous offences. This act was far from producing the desired effect, by deterring the colonists from the combination. Popular writers found in it a theme for the display of ingenuity and legal knowledge, in shewing that the governor, by calling that association traitorous, assumed a power not claimed by the king himself, of making that conduct treason, which was not ordained to be treason by the laws, and thus rendering the declared will of one of the king's officers, equivalent to an act of the legislature. General Gage, perceiving the sentiments and intentions of the people of Massachusets to be so unfavourable to the British government, as to require, for their repression, more powerful restraints than proclamations, ordered some regiments of foot, with a detachment of artillery, to be sent to Boston. These, upon their arrival, were encamped

on

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on a common between the isthmus[d] called Boston-neck, which joins the peninsula of Boston to the continent, and the town itself. The professed intention of the governor was, to prevent desertion, then very much encouraged by the provincials; but this disposition of the troops was construed to be designed for the purpose of blocking up the town, and compelling it by famine to submit to any terms which might be imposed. The inhabitants of the adjacent country assured the Bostonians, that several thousands of armed men were ready to assist them, should their aid be necessary.

In August, commissions arrived for those who were intended to constitute the new council, by the act for altering the constitution of Massachusets. Of thirty-six, twenty-four only accepted the commissions; and against those the rage of the people was so great, that all but a few who resided in Boston, and were protected by the troops, to save their property and lives, resigned their appointments. So many obstructions, indeed, occurred in every department, that civil government was entirely dissolved; whoever rendered himself odious, by discovering his attachment to the mother-country, and a wish to submit to her laws, was insulted by the populace; and many, hunted from their dwellings in the country, were obliged to take refuge in Boston. Arms were provided, ammunition and warlike stores began to be collected, and the young men were employed in training themselves to military discipline. Perceiving such appearances of hostile intention, general Gage ordered all the military stores which were deposited in the several magazines through the provinces, to be brought to Boston. The colonists, apprehending from this measure that he meant to commence hostilities, several thousands

[d] The readers may perhaps not recollect, that Boston is situated in a peninsula. This geographical fact, however, is very necessary to be attended to in the course of the history.

of

of militia marched toward Boston: finding that none had been attempted, they retired; but the general thought it expedient to fortify Boston-neck against future attacks. The colonists of Massachusets now began to make vigorous preparations for a forcible resistance to the British government; associations were formed for promoting the knowledge of military discipline, and the use of arms; resolutions were passed for holding a provincial congress, which, without any regard to the governor, should be considered as the legislature of the colony. They even remonstrated on the raising fortifications, and the seizure of the public magazines: thus interfering with the executive authority of the crown. They declared, that should any person be seized for supporting the cause of the colonies, they would retaliate upon every British officer whom they could find; and, lastly, they recommended to the receivers of the public revenue, to keep it in their own hands, until the constitution of the province was restored, or until it should be otherwise disposed of by a provincial convention.

THOUGH the other colonies did not proceed to such extremities, nor make any preparations for war, yet all, except Georgia, concurred in resolving to hold a congress, and not submit to the payment of any internal taxes that were not imposed by their own assemblies; and to suspend all commerce with the mother-country, until the American grievances in general, and those of Massachusets Bay in particular, should be fully redressed. In the proceedings of the congress, instructed by the respective colonies, we fully see the dispositions and views of the Americans.

Meeting of a general congress at Philadelphia;

THE attention of all parties was now turned to the general congress, which, on the 5th of September, met at Philadelphia, as a centrical situation. The congress consisted of fifty-one delegates, representing

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ing twelve of the colonies lying along the shore of the Atlantic, from New Hampshire to South Carolina inclusive: the greatest number of delegates of any one colony being seven, and the smallest two. But this disparity in the number of delegates did not affect the votes; as it was agreed that each colony should have but one vote, whatever was its number of delegates. The delegates received their instruction from their constituents; some of these violent, and some moderate; but all uniting in condemning the Boston port bill, and the other acts of the last session of parliament relating to Massachusets Bay, and in denying the right of the British parliament to tax the colonies. But the most material of their instructions, and what in a great measure superseded the use of all others, was a power given to their delegates to agree to whatever measures should meet with the concurrence of a majority of the congress.[e] The congress sat with their doors locked; no one was permitted to be present at their deliberations; and all their proceedings, except those which they thought fit to publish, were kept profoundly secret. Assembled, says captain Stedman, in the cause of freedom, they nevertheless thought fit to observe a form practised only in the most despotic governments. Their proceedings being wrapped up in mystery, and all the intermediate steps leading to a conclusion being hidden from the public eye, their decrees, when promulgated, were received, like the oracles of ancient times, as the dictates of profound wisdom.

THE first public act of the congress was a declaratory resolution manifesting their disposition with respect to the colony of Massachusets Bay, and immediately intended to confirm and encourage that people. They expressed their sympathy with the sufferings of their countrymen in that province,

[e] See Stedman.

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under the operation of the late unjust, oppressive, and cruel acts of the British parliament; they thoroughly approved of the wisdom and fortitude with which the opposition to these ministerial measures had hitherto been conducted, and declared that contributions for alleviating the distress of their brethren at Boston, should be continued as long as their exigencies required relief. They further declared that, if the British government attempted to carry the acts complained of into execution by force, all America should combine in opposing that force. They recommended to the inhabitants of Massachusets Bay, that as justice could be no longer legally administered by the late acts, they should submit to its suspension until they were repealed; and that every person who should judge or act under any commission or authority derived from the late act of parliament changing the form of government, and violating the charter of that province, ought to be held in detestation, and considered as the wicked tool of a despotism, which prepared to destroy the rights that God, nature, and compact had conferred on America. They passed a resolution, declaring that the transportation of any person for the trial of offences committed in America, justified and ought to produce resistance and reprisals.[f]

approves of the conduct of Massachusets, and promises support;

THE congress also proceeded to declare the principles and objects of their association. They avowed their allegiance to his majesty, their affection to Britain, their dependence upon her, and the benefits and favours which they had received from the parent state. In the most explicit terms, they disclaimed any wish of separating from the mother-country; but at the same time they declared themselves entitled to a participation of all the rights and privileges of British free-born subjects; that the present grievances and distresses arose from a ruinous system of colonial administration, adopted by

declares the principles and objects of association.

Statement of alleged grievances,

[f] Stedman's History of the American War, vol. i. p. 103.

the

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the British ministry about the year 1763, and evidently calculated for enslaving these colonies, and with them the British empire. Thence had arisen the acts for taxing America, and for depriving American subjects of the constitutional trial by juries; thence the late cruel, oppressive, and unconstitutional plans concerning Boston and the whole province; and the plan of extending Canada, establishing an arbitrary government, and discouraging the settlements of British subjects in that country, and disposing and enabling the established inhabitants to act with hostility against the freedom of the protestant colonies. To obtain redress for these grievances, they thought that the best, most effectual, and peaceable measure would be, to abstain from every species of commercial intercourse with Britain, until that redress should be obtained by a repeal of all the coërcive acts. On the one hand, they specified the various articles of merchandise in which they had dealt with Britain, and which they now combined to refuse; on the other, they enumerated the various acts, or clauses of acts, of which they required the repeal. The amount of their requisition was, the reversal of the whole ministerial system pursued since 1763. They afterwards agreed to petition the king, and accordingly framed a representation to his majesty. Perhaps subjects never offered to their sovereign an address consisting of stronger and more comprehensive reasoning, with more impressive eloquence: it stated every important act since the change of system in 1764; its peculiar features, its general principles, and its connexion with other acts: it exhibited the whole plan of recent and present government, with the actual and probable consequences: the petitioners declared the warmest attachment and the highest veneration for the king and the constitution; they wanted no new privileges, but merely prayed to be restored to their former

and proposed means of redress;

petition the king.

former rights, which other British subjects still enjoyed: we ask (they said) but for peace, liberty, and safety; we wish not a diminution of the prerogative; we do not solicit the grant of any new right in our favour; your royal authority over us, and our connexion with Great Britain, we shall always carefully and zealously endeavour to support and maintain. The peroration very happily united the respectful deference of loyalty with the temperate firmness of freedom. "Permit us then, most gracious sovereign, in the name of all your faithful people in America, with the utmost humility to implore you, for the honour of Almighty God, whose pure religion our enemies are undermining; for your glory, which can be advanced only by rendering your subjects happy, and keeping them united; for the interests of your family, *depending on an adherence to the principles that enthroned it;* for the safety and welfare of your kingdoms and dominions, threatened with almost unavoidable dangers and distresses; that your majesty, as the loving father of your whole people, connected by the same bonds of law, loyalty, faith, and blood, though dwelling in various countries, will not suffer the transcendent relation formed by these ties, to be further violated, in uncertain expectation of effects, which, if attained, never can compensate *for the calamities through which they must be gained.* We therefore most earnestly beseech your majesty, that your royal authority and interposition may be used for our relief; and that a gracious answer may be given to this petition: that your majesty may enjoy every felicity through a long and glorious reign over loyal and happy subjects, and that your descendants may inherit your property and dominions till time shall be no more, is, and always will be, our sincere and fervent prayer."—The petition was subscribed by all the fifty-one delegates.

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Address to the people of Britain.

An address was then framed to the people of Great Britain, which was also a very masterly composition: it stated, that the Americans, sprung from the same ancestors as the Britons, entertained the same sentiments and principles which had produced and supported the British constitution, and considered themselves entitled to equal rights with other British subjects.—"We consider ourselves, and do insist, that we are, and ought to be, as free as our fellow-subjects in Britain; and that no power on earth has a right to take our property from us without our consent. We claim all the benefits secured to the subject by the English constitution, and particularly that inestimable one of the trial by jury. We hold it essential to English liberty, that no man be condemned unheard, or punished for supposed offences, without having an opportunity of making his defence." Having detailed the various grievances which they alleged themselves to have suffered, they endeavoured to shew, that the people of England had in the last century contended with their kings for the preservation of the same rights which the Americans were now deprived of by a British parliament. They insisted, that the oppression was essentially the same, although the oppressors were changed. But not altogether relying on the efficacy of this appeal to the justice of the nation, the address endeavoured to gain it over to the cause of America, by representing, that the certain consequences of unconditional submission being exacted from her, would be the subversion of the constitution of the mother-country, by the tyrannical aristocracy which was engrafted on the power of the crown. They expressed deep regret at being obliged to adopt measures detrimental in their consequences to numbers of their fellow-subjects in Great Britain and Ireland; but they hoped, that the magnanimity and justice of the

British nation, would furnish a parliament of such wisdom, independence, and public spirit, as might save the violated rights of the whole empire from the devices of *wicked ministers* and *evil counsellors*, whether in or out of office; and thereby restore that harmony, friendship, and fraternal affection, between all the inhabitants of his majesty's kingdoms and territories, so ardently wished for by every true and honest American. Their several addresses were indeed particularly well adapted to the temper and passions of the parties whom they endeavoured to gain. They also addressed the inhabitants of Canada; described with great eloquence the blessings of a free constitution, and the advantages which the Canadians might have reaped from the enjoyment of such a system. Ministers had, they said, kept those new subjects of Britain ignorant of its advantages; they therefore undertook to explain them to the Canadian French, and endeavoured to excite the indignation of that province against the late acts, as precluding them from the freedom which, in their new relation as British subjects, they ought to enjoy. They paid high compliments to their countryman Montesquieu; and having endeavoured to shew that the new plan of governing Canada was most disgraceful to its subjects and injurious to its rights, they quoted his sentiments delivered in a chapter on the British constitution; from which they inferred, that this great political philosopher would have deemed the Canadians to be in a state of slavery. They concluded with strenuously inviting them to join in the league of the colonies. The congress likewise published a declaration of rights and grievances. This paper contained a summary of all the privileges appertaining to British subjects; to the free exercise of these they were, they contended, entitled by the immutable laws of nature, by the British constitution, and by their several charters. All former distinctions

They address the colonies.

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between legislation and impost, between external and internal taxes, were now laid aside. They claimed, on behalf of the colonies the sole and exclusive privilege of legislating for themselves in all cases whatsoever: but, from the mere necessity of circumstances, were willing to submit to such acts of parliament as were *bona fide* intended to regulate their foreign commerce; excluding, however, all ideas of taxation, internal or external, for raising a revenue from the people of the colonies without their own consent. Their grievances (they said) arose from eleven acts of parliament[s] passed in the present reign; but the most intolerable resulted from the three acts of the last session of parliament, respecting the colony of Massachusets Bay, and the law for extending the limits of Canada. They wrote a letter to general Gage, declaring it to be the fixed and unalterable resolution of all the colonies to unite for the preservation of their common rights, in opposition to the late acts of parliament, and in support of their brethren of Massachusets Bay. They remonstrated against his military proceedings, bearing (they said) a hostile appearance, which even the tyranical acts did not warrant. They requested that he would discontinue the fortifications, and give orders that the intercourse between the town and country should be uninterrupted. They addressed the colonies, declaring that, upon impartially examining the conduct of the British government in North America from 1763, they found that all the disturbances had proceeded from an unconditional assumption and oppressive acts on the part of Britain. Representing perseverance in union as the only means of security against the arbitrary designs so evident in the conduct of the British ministers, they proceeded to state the trust which was reposed in the congress, and the manner in which they had dis-

Remonstrance to general Gage.

Address to the colonies.

[s] All these have been successively mentioned, and most of them repeatedly alluded to in the course of the history.

charged

charged their duty; that, notwithstanding the series of oppression experienced from Britain, they had made conciliatory advances; and while, inspired by constitutional liberty, they had shewn themselves resolved to maintain their rights, guided by loyalty to their king, and affection to their fellow-subjects, they had manifested their earnest desire of preserving peace and amity with their mother-country. After the performance of these acts, during a session of fifty-one days, the first general congress of the North American provinces, on the 26th of October, terminated its meeting.

Meeting breaks up.

THE amount of the reasonings and the spirit of the proceedings, in either partial meetings, provincial assemblies, or the general congress, may be exhibited in few words: "The British system from 1763 has violated the chartered and constitutional rights of us, the British subjects in the American colonies: we will not submit to such usurpation: we will not pay duties unjustly imposed, and we will have no commerce with Britain until the obnoxious acts be repealed. If the British government attempt to enforce its unconstitutional decrees, self-preservation compels us, and our condition enables us, to resist force by force. Yet that extremity we deprecate, as pernicious to both parties: we pray our sovereign, and request our fellow-subjects, to co-operate with us in averting so deplorable a calamity. We ask no new privilege; we desire only the restoration of those rights which, until 1763, we enjoyed without interruption." Such were the sentiments and acts of the colonists in North America; such the first consequences of the ministerial system of 1774.

General spirit of the colonial proceedings.

BEFORE the meeting of the general congress, none of the middle or southern colonies had commenced preparations for war; but when that convention broke up, and its members returned to their constituents, the other provinces became actuated by the spirit of New England. The militia were very frequently

Military preparations.

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frequently assembled for the purpose of discipline; arms were provided for those who were without them; and resistance, by open force, to the power of the mother-country, was made the subject of common discourse. Soon afterwards a copy arrived of a proclamation issued in England, to prevent warlike stores from being exported; and this prohibition rendered the inhabitants of the colonies more eager to procure supplies of the various kinds of ammunition.

Massachusets Bay the grand hinge of peace and war.

In consequence of the determination of congress, all the colonies deeply interested themselves in the affairs of Massachusets Bay; and upon the transactions in that province, depended more immediately the doubtful issue of peace and war. The governor and council had issued writs for holding a general assembly; but the events that afterwards took place, and the heat and violence which everywhere prevailed, made them think it expedient to countermand their writs by a proclamation, and to defer holding the assembly to a season of more security. The election, however, was carried on, without regard to the proclamation; the new members met at Salem, but the governor did not attend to administer the oaths and open the session. Having waited a day, and neither the governor nor any substitute for him arriving, *they voted themselves into a provincial congress*, to be joined by such others as had been or should be elected for that purpose. Mr. Hancock[b], who was offensive to the governor's party, was chosen chairman, and they adjourned to the town of Concord, about twenty miles from Boston. Thence they presented a remonstrance to the governor, on the subject of the fortifications at Boston-neck, and the alarm occasioned by the collection of

Contention with the governor.

Forms a provincial congress;

[b] This was the same gentleman, the seizure of whose sloop for contraband practices had occasioned an insurrection at Boston in the year 1768; and the consequences of which insurrection are supposed by many to have precipitated the dispute between the mother-country and her colonies towards its crisis.

military force at Boston, tending to endanger the lives, liberty, and property, not only of the Bostonians, but of the whole province. The general, though unwilling to return an answer to an illegal assembly, thought it expedient in the present case to overlook forms. In replying to the provincial congress, he told them, that the lives and liberties of none but avowed enemies of Britain could be in danger from British soldiers, who, notwithstanding the enmity which had been shewn to them in withholding what was necessary for their preservation, had not discovered that resentment which might have been expected from such hostile treatment. He reminded them, that while they were complaining of alterations made in their charter, they were themselves subverting it by their present illegal meeting; and he admonished them to desist from such unconstitutional proceedings. Boston was now become the place of refuge to all the friends of British government. On the approach of winter, the governor thought it necessary to erect temporary barracks for the troops, not only to accommodate his soldiers, but to prevent them from being quartered on the inhabitants; which, in the present state and temper of both, might be attended with dangerous consequences. The Bostonians did every thing in their power, without employing open violence, to obstruct the erections. Very great mutual distrust and animosity prevailed between the government and the people. Boston, however, was now the only place in Massachusets that contained British forces; and from the hostile disposition of the provincials, and the insulated situation which they occupied, their circumstances were not much unlike to those of persons besieged by open enemies. The provincial congress not only continued their sittings, but passed resolutions which, from the disposition and promptitude of the people, had all the weight and efficacy of laws; their injunctions, under the

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which assumes the supreme power.

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form of advice, directed the regulation and exercise of the militia, the collection and disposition of the public revenue, and the provision of arms and military stores. Thus they assumed the powers of the supreme government; and in the first provincial congress of Massachusets, we see, strongly drawn, the outlines of American independence. The governor thought it necessary to issue a proclamation, warning the inhabitants of the province against suffering themselves to be ensnared by the provincial congress, or led by their influence to incur the penalties of sedition and rebellion; and strictly prohibiting all his majesty's loyal subjects from paying any regard to the recommendations and resolves of such an unlawful assembly. But the governor's proclamation was treated with contempt, while the requisitions of the provincial congress were obeyed as laws. That assembly appointed another congress to be held in the month of February 1775, and toward the end of November dissolved itself.

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Impression in Britain from the American disputes.—Dissolution of parliament.—General election.—Leading characters in the new parliament.—Meeting of parliament—king's speech—address—indecision of ministers.—Character and policy of lord North—opinions of his power and efficiency.—Petitions presented from America, and American merchants, to parliament and the king—dismissed without a hearing.—Lord Chatham, though loaded with infirmities, returns to the house—his introductory speech—his plan of conciliation rejected.—Conquest of America conceived by ministers to be easy.—Americans asserted to be all cowards.—Mr. Fox's observations on the inspiring efficacy of liberty.—Parliament declares Massachusets Bay to be in a state of rebellion.—Message from the king, requiring an augmentation of forces.—Bill for prohibiting the New England provinces from commerce and fishery.—Lord North's plan of conciliation—apprehended by courtiers to concede too much, by opposition to concede too little.—Mr. Fox opposes its inconsistency.—Lord North's policy wavering and irresolute.—Dexterous retreat to satisfy the supporters of coercion.—Mr. Burke's conciliatory plan, on the grounds of expediency—outlines and character—predicts civil and foreign war from the conduct of ministers—rejected.—Mr. Hartley's conciliatory bill—rejected.—Ministers averse to all conciliatory overtures.—Bill for extending commercial prohibitions.—Loyalty of New York province—representation from it to the commons—dismissed unheard.—Supplies.—Session closes.—War unavoidable.—Literary advocates for and against America.

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Impression in Britain from the American disputes.

WHILE the proceedings in and concerning America were so extremely important, they did not, in Britain, appear to attract the attention of the nation in proportion to their magnitude. There were, indeed, politicians and philosophers who saw them in their real aspect, and dreaded the consequences; but this view was far from being general: even

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even merchants and manufacturers, to whom a rupture with the colonies would be so calamitous, seemed now lulled into equal security with the rest of their countrymen. This inattention arose from various causes. The contests with the colonies were no longer new, but from the year 1765 they had, with very few and short intermissions, been the chief subjects of parliamentary deliberation. To those who did not minutely and critically examine the new occurrences, and the change of sentiments which were now become so general in North America, most of the topics appeared exhausted; the various arguments for taxation had been often discussed, and on the triteness of the reasoning, great numbers overlooked the new effects which the system was producing. Confederacies against the importation of British commodities had before, and recently, been violated; and the present combinations would, many trusted, be equally short-lived. Disputes had been frequently carried to the verge of a rupture, and had been afterwards accommodated; some means of conciliation, they flattered themselves, would be again devised. The Americans would tire of associations, that deprived them of the chief conveniences of life, which were rendered by habit almost necessaries; besides, ministers and their adherents had very industriously spread an opinion, that vigorous measures, with perseverance, would soon finish a contest, which nothing but former indulgence had nourished; and also, that the present administration possessed in an eminent degree the qualities requisite for honourably and advantageously terminating the dispute. Ministers, indeed, had afforded no satisfactory proofs either of their vigour or policy; but, as they had not, on the other hand, manifested either feebleness or folly, they and their friends represented the counsellors of his majesty as a body of very uncommon ability. A great part of the nation, with that unsuspecting credulity which frequently distinguishes

distinguishes a people otherwise so eminent for sound judgment, gave administration credit for all the talents and qualities for which they chose to take credit to themselves. For these reasons, it was not doubted that the coërcive system which had been adopted and carried into execution under the direction of such men, would soon intimidate its objects from forcible resistance; but that, if it did not awe them to submission, their reduction would be speedy and certain: supported by the greater part of the country, the cabinet was the more able and determined to proceed with the plan of dictation which had commenced so strongly in the preceding session.

Dissolution of parliament.

PARLIAMENT was now in its seventh year. In the reign of George II. it had generally lasted near the whole time; the first parliament of the present king had also continued seven full years. On the 30th of September 1774, about six years and a half from the former election, a proclamation was issued, for the dissolution of parliament, and the convocation of a new one, for which the writs were made returnable on the 9th of the following November. An abridgment contrary to recent custom excited great surprise among those who judged from precedent more than from present circumstances and expediency: but many reasons were assigned for this unusual measure; the most probable appears to be, that, as a new state of things had arisen in America, new councils might be requisite on the part of the legislature. On the one hand, should it be found necessary to deviate from the coërcive system, the old parliament might be restrained by a sense of consistency from rescinding its own laws, while a new one would be more at liberty to act according to the exigency of the case. On the other hand, as at present it was determined to persevere in coërcion, and the majority of the people appeared to approve, it was probable that a parliament would be returned, favourable to the continuance of that system; and thus

government

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government would have an assurance of a long co-operation, of which it might be deprived by a change of circumstances and of public sentiment, were the election deferred till the succeeding year.

General election.

In London, the opposition party carried the election of all its candidates. In Middlesex, Mr. Wilkes, now lord mayor elect, was chosen to represent the county; and ministers were not so imprudent as again to controvert a seat which had already given government so much disturbance. A considerable change of individual members took place through the nation; but it was soon found, that there was no alteration of political sentiment, and that a great majority supported the ministerial project of coërcing America.

The subjects which were to occupy the deliberations of the new parliament, have rarely been equalled in importance in the legislative history of any age or country. On its counsels was to depend whether by conciliation we should restore the reciprocally beneficial harmony that had so long subsisted between Britain and her colonies; or, by persistance in coërcion, drive such valuable dependencies to a rebellion, which either would not be quelled, or, if crushed, could be reduced only by efforts which must exhaust the parent-country, and destroy the provinces that she sought to render more productive and lucrative.

Leading characters in the new parliament.

For examining such momentous questions, seldom has a national council contained a greater assemblage of ability, than the British parliament now exhibited. In the house of commons, among many men of considerable talents and extensive knowledge, there were ranged on the side of ministers, the financial information and accurate results of sir Grey Cooper; the perspicacious detail, solid judgment, and orderly arrangement of sir Gilbert Elliot; and the intrepid confidence and manly boldness of Mr. Rigby. In rising progression, there followed

lowed the sound and vigorous understanding, the unremitting industry, the commercial, political, and diplomatic knowledge, the lucid disposition, the correct and perspicuous expression of Jenkinson; and the acuteness, closeness, and neat precision of Germaine. Dundas[a], from his first entrance into public life, exhibited those qualities by which he has been uniformly distinguished; an understanding quick, sagacious, and powerful; reasoning forcible and direct, strictly adhering to the point at issue; an expeditious dispatch of difficult business; and, regarding the senate as a council for the direction of national affairs more than a theatre for the display of eloquence, he was in his language intelligible and strong, without ornament or elegance. A mind by nature penetrating, brilliant, and inventive, formed and refined by erudition and by literary[b] society, sharpened and invigorated by professional occupations, and enlarged by political studies and pursuits; an eloquence that he could admirably vary to the occasion, and exhibit either in argumentative force, logical subtlety and skill, or with all the ornaments of rhetoric and the graces of persuasion, rendered Wedderburne a valuable accession to any cause which he chose to support.[c] For masculine energy of intellect, force devoid of ornament, and exhibiting itself in efforts direct, simple, and majestic, Thurlow stood eminent. Lord North was equally remarkable for pleasing and varied wit and humour, classical taste, erudition, and allusion, as for dexterity of argument and felicity of reply. On the other side were arrayed, the patriotism and solidity of Dempster and Saville; the industry and colonial information of Pownal; the colloquial pleasantry,

[a] Lord advocate of Scotland.

[b] He was the intimate friend of Smith, Robertson, and Fergusson, and their contemporaries, in their early years; and cultivated an acquaintance with Burke, Johnson, and other eminent scholars, in his more advanced life.

[c] The judicial manner and character of Wedderburne will appear in the third and the succeeding volume.

vivacity,

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vivacity, and classical erudition of Wilkes; the animated declamation of Barrè; the quick apprehension, commercial and political knowledge, of Johnstone; and the constitutional principles, legal precision, readiness, acuteness, and vigour, of Dunning. Above these, rose the extensive, accurate, and multifarious knowledge, the abundant and diversified imagery, the luminous illustration, and rapid invention; the reasoning, dilated or compressed, digressive or direct, disjointed or continuous, which, if not always pointedly convincing, never failed to be generally instructive; the comprehensive views and philosophical eloquence, of a Burke. A senator was now rising to the first rank in the first assembly of the world, who must have held a very exalted situation in any convention of statesmen and orators recorded in history, this was Charles James Fox. In the twentieth year of his age he had become a member of parliament, and young as he was, distinguished himself among the many eminent members of the house, and was at first one of the ablest supporters of administration. The facility with which he made himself master of a new question, and comprehended with such force of judgment the strength, weakness, and tendency of a proposition or measure; his powerful argumentation, his readiness of the most appropriate, significant, and energetic language, soon rendered him conspicuous; while his daily and obvious improvement shewed that his talents had not then nearly reached the pinnacle at which they were destined to arrive. Since he joined opposition, his talents and exertions appeared more potent and formidable than even had been expected.[a]

In the house of peers, the chief supporters of administration were, lord Hillsborough, a nobleman of sound judgment and official experience; earl Gower, a peer of good character and extensive in-

[a] A part of this account is taken with considerable variations from the life of Burke, first edition, p 210. to 218.

fluence,

fluence, who, in the minority of the duke, headed the Bedford party; and the earl of Sandwich, acute and intelligent as a senator, but a judicious speaker rather than a splendid orator. The only peer of transcendent genius who joined ministers in the coërcive system; was lord Mansfield; a personage very eminently distinguished for abilities and erudition, and for argumentative, refined, and persuasive eloquence; but the fame of this illustrious senator was principally founded upon his oratorial and judicial powers and efforts[c], and derived little accession from his counsels as a statesman. The most distinguished peers who were inimical to the coërcive system, were the marquis of Rockingham, whom we have viewed as minister; the duke of Richmond, a nobleman of respectable abilities, active, indefatigable, and ardent; lord Shelburne, whom we have seen as secretary of state, distinguished for extent of general knowledge, and peculiarly marked for his extensive views of the reciprocal relations, commercial and political, of European states; lord Camden, the great bulwark of English law, profoundedly versed in our constitution, with that mild, clear, and nervous eloquence. which is the firm and efficacious instrument of wisdom; and lastly, in himself a host, the earl of Chatham.

Surveying and examining the principal actors on the grand political theatre, the reader may perceive that, both for and against ministers, there was a constellation of abilities; but, in opposition, the highest talents, and the most approved wisdom.

Meeting of parliament. King's speech.

On the 30th of November the new parliament met. His majesty's speech stated to the houses, that a daring spirit of resistance and disobedience to the laws still unhappily prevailed in the province of Massachuset's Bay, and had in divers parts of it

[c] The reader will find a character of this great man in the narrative of the year 1788; for the judicial part of which I am chiefly indebted to a gentleman of high eminence for literary and legal erudition.

broken

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broken forth in fresh violences of a criminal nature; but these proceedings had been countenanced and encouraged in others of the colonies, and unwarrantable attempts had been made to obstruct the commerce of this kingdom by unlawful combinations: such measures, however, had been employed, as were judged most effectual for carrying the acts of the preceding session into execution, protecting commerce, and restoring and preserving order and good government in the province of Massachusets. It expressed his majesty's resolution to withstand every attempt to diminish the authority of parliament over the dominions of the crown; the maintenance of which authority was necessary for the dignity and welfare of the British empire; it stated the satisfaction of the king at the restoration of complete tranquillity to Europe, by the peace between Russia and Turkey; and concluded with recommending firmness and unanimity in parliamentary proceedings. Avowing the taxation of the colonies to be an essential right of the British legislature, and that the late acts must be executed, the speech declared, that no regard was to be paid to the opinions and sentiments which had produced a confederation of the colonies, and that ministers were not moved by the proceedings in America to deviate from the plans of the former session. While the speech demonstrated the intentions of government, the address, carried by a great majority (though not without strenuous opposition), manifested that the new, like the old parliament, was resolved to persist in taxing British subjects without their own consent; establishing in some colonies, systems of polity different from the British constitution; punishing those who had never been tried, and ordaining trials, different in principle and mode from those which are recognized by our laws; it proved also, that the new parliament esteemed the representations of the

Address.

[1] State Papers, Nov. 30, 1774.

colonists

colonists undeserving of regard. The address, indeed, sanctioned the general policy of ministers; and the parliament, at the very commencement of its deliberative proceedings, unequivocally evinced its determination to tread in the steps of the former. The opposition speakers exhorted legislature TO INVESTIGATE FACTS BEFORE THEY PROCEEDED TO JUDGMENT; and not to pledge themselves implicitly to follow the example of their predecessors, without fully examining the grounds on which they had acted, and the effects which their acts had produced and were producing. Having moved for a communication of all the intelligence that had been received by his majesty respecting America, and the motion being negatived, they affirmed, that as the ministers and former parliament had passed sentence without taking cognizance of the case, the present parliament was pursuing the same plan. They next proceeded to the consequences, as they had verified or falsified the predictions of ministers; contended that whereas his majesty's counsellors had prophesied that the proceedings respecting Boston would strike terror into America, they had really combined into one party all the colonists, though before divided and detached; and that, instead of frightening them severally into submission, they had compelled them jointly to resistance. In the house of lords a very strong protest was made, which, after stating the evils of the ministerial system, added the following words: "it affords us a melancholy prospect of the disposition of the lords in the present parliament, *when we see the house, under the pressure of so severe and uniform an experience, again ready, without any inquiry, to countenance, if not to adopt, the spirit of the former fatal proceedings.*"

VIEWING the conduct of ministry as to utility of object and justness of principle, the historical reader may probably have formed some judgment of the character of their policy; he has, in the immediately

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ately subsequent acts, a farther opportunity of estimating their qualifications by the means which they employed. To coërce America, was the determination of ministry and the legislature. If coërcion must be used, a stronger force, it was naturally expected, would be demanded, than that which was requisite in times of tranquillity; but when the supplies came under consideration, ministers proposed to diminish, instead of increasing, both sea and land forces; and required seventeen thousand troops instead of eighteen thousand, and sixteen thousand seamen instead of twenty thousand. On this subject opposition charged ministry with an intention of deluding the people to war, while they pretended to expect peace; but that the hostilities, which they deprecated as ruinous in themselves, would be rendered still more fatally destructive by defective preparation: there was (they said) either inadequacy of force to the end proposed, or feeble and paltry artifice to conceal obvious intentions [a].

Indecision of ministers.

Ever since the debate on the address, great indecision had appeared in the conduct of the minister. He studiously avoided any farther discussion on American politics, and frequently absented himself from the house. From these circumstances it was conjectured, that he did not fully concur in the coërcive system; and this hypothesis was by no means inconsistent with either his known disposition or abilities. It was presumed, that a man of such a conciliating temper, and whose first ministerial [b] act had been concession to appease the colonists, could really be no friend to violent and irritating measures; and that a statesman of his undoubted talents could not, from the dictates of his own understanding, devise or recommend such acts. Lord North, it was imagined, could not long be so completely deceived

[a] See the speeches of opposition, in Debrett's Parliamentary Debates in December 1774; especially of Mr. Fox, in a committee of supply.

[b] See the account of parliament 1770, vol. i.

as

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as to fact, and erroneous in argument, as the proposers of the ministerial measures appeared. Besides, it was supposed that his intellect was too enlightened, and his mind too liberal, to possess that contemptible obstinacy of character which is incident to men at the same time weak and vain, who adhere to a plan, not because it is proved to be right, but because they had once favoured its adoption [1].

Opinions of his power and efficiency.

THE theory of an interior cabinet was revived; and it was asserted, that lord North, though ostensibly minister, was really compelled to obey the dictates of a secret junto. Having, however, no satisfactory evidence that such a cabal existed, nor that an able and estimable nobleman submitted to such a disgraceful mancipation, I cannot record conjecture as a historical truth, and must narrate the measures proposed or adopted by lord North as his own, because for them he declared himself responsible.

[1] It has been very often asserted, and by many believed, that lord North originally was, and always continued in his private sentiments, inimical to the American war; although he, as prime minister, in every measure of carrying it on, incurred the chief responsibility. This opinion, as an historian, I have not documents either to confirm or refute with undoubted certainty. To those who would confine themselves to comparison of the plans and conduct of government, during that awful period, with the talents often displayed by his lordship, the conjecture may appear probable. But persons who take a candid view of the respectable and estimable moral qualities of the prime minister, will hesitate in justifying his wisdom at the expence of his integrity; they will sooner admit that a man of genius, literature, and political knowledge, reasoned falsely and acted unwisely, than that a man of moral rectitude acted in deliberate and lasting opposition to his conscience, thereby involving his country in misfortune. At the same time, I am fully aware that there is a third hypothesis possible, and by many believed, if not by some known to be true. The opinion in question rather changes the situation than degrades the character of lord North, by representing him as merely his majesty's first commissioner of the treasury and chancellor of the exchequer, instead of the prime political counsellor. Persons of very considerable respectability, of very high veneration for the character of lord North, and who with inviolable fidelity adhered to him in every vicissitude of fortune, have given their opinion, that he was not really minister, but the official executor of positive commands. I am aware also, that in this assertion they are said to proceed, not merely on general inferences, but on specific evidence. From the nature of the ALLEGED DOCUMENTS, I know well that if they exist, they cannot at present be made public. If the truth of this account were established, we should, indeed, have to consider his lordship as officially obeying orders, but not as voluntarily proposing counsels. this, perhaps, might excuse him as the servant of a master, but would not be sufficient to acquit him as member of a deliberative assembly. Even in this last view, palliations might be found to apologize to the indulgent, though it might be more difficult to discover facts and arguments which would satisfy the rigidly just.

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UNTIL the Christmas recess, the minister continued to abstain from giving any determinate opinion concerning American affairs. During the adjournment the North American merchants of London and Bristol, having more deeply considered the consequences resulting to their trade, were seriously alarmed; as were also the manufacturers of Birmingham. Meetings were called, and petitions to parliament were prepared by these bodies, representing the great losses which they had sustained from the suspension of traffic, the immense sums due from America, and the ruin that must accrue to them unless intercourse should be speedily re-opened with the colonies. They were presented as soon as parliament met; and also petitions from various other bodies and parts of the kingdom. The West India merchants and planters stated how deeply they were concerned in this dispute, as the sugar islands not only drew a great part of their provisions from America, but were supplied with lumber from thence, for which they bartered their rum and sugars; so that an interruption of the intercourse between the British American continent and those islands, was likely not only to deprive the latter of the means of sending their produce to Europe, but to cause a great body of people to perish for want of sustenance. The various petitions were referred to a committee of the house; but, from the little attention that was paid to them, it was called *the committee of oblivion.* The petition from the congress to the king had been transmitted to London; his majesty refused to receive it from a body of which he could not acknowledge the legality, but referred it to parliament. On the 26th of January, sir George Saville presented a petition to the house from three American agents, praying to be heard on the subject of the petition presented by them from the congress to the king, and which his majesty had referred to the house.

Petitions presented from America and American merchants to parliament and the king;

A hearing

A hearing was refused by the commons on the same ground, that no attention could be paid to that petition without acknowledging the authority of the meeting.

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THE opponents of coërcion now received a reinforcement of genius, eloquence, and political wisdom, by the appearance of lord Chatham in the house of lords, after an absence of several years. That illustrious statesman, who had carried the prosperity and glory of his country to so exalted a pitch, now left the sick room, that he might try to avert the evils with which it was threatened, from the feeble, fluctuating, and erroneous policy of his successors in administration. Lord Dartmouth, secretary of state for the American department, having laid sundry papers before the house relative to the state of affairs in America, Lord Chatham moved an address to the king for recalling the troops from Boston. The speech that introduced the motion was replete with that forcible, brilliant, and impressive eloquence, which during forty years had delighted, instructed, and astonished parliament. "The Americans, (said he,) sore under injuries and irritated by wrongs, stript of their inborn rights and dearest privileges, have resisted oppression, and entered into confederacies for preserving their common liberties. Under this idea, the colonists have appointed men competent to so great an undertaking, to consider and devise the most effectual means for maintaining so inestimable a blessing. Invested with this right by the choice of a free people, these delegates have deliberated with prudence, with wisdom, and with spirit; and, in consequence of these deliberations, have addressed the justice and the honour of their country. This is their fault, this is their crime; they have petitioned for that, without which a free people cannot possibly exist. Much has been said of late about the authority of parliament. Its acts are held up as sacred edicts demanding implicit

Lord Chatham, though loaded with infirmities, returns to the house.

His introductory speech.

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cit submission, because, if the supreme power does not lodge somewhere operatively and effectively, there must be an end of all legislation. But they who thus argue, or rather dogmatize, do not see the whole of this question on great, wise, and liberal grounds. In every free state, the constitution is fixed, and all legislative power and authority, wheresoever placed, either in collective bodies or individuals, must be derived under that established polity from which they are framed. Therefore, however strong and effective acts of legislation may be when they are formed in the spirit of this constitution, yet when they resist its principles, or counteract its provisions, they attack their own foundation; for it is the constitution, and the constitution only, which limits both sovereignty and allegiance. This doctrine is no temporary doctrine taken upon particular occasions to answer particular purposes, it is involved in no metaphysical doubts and intricacies, but clear, precise, and determinate: it is recorded in all our law-books; it is written in the great volume of nature; it is the essential and unalterable right of Englishmen, and accords with all the principles of justice and civil policy, which neither armed force on the one side, nor submission on the other, can upon any occasion eradicate. Dreadful will be the effects of coërcive measures. Government has sent an armed force of above seventeen thousand men, to dragoon the Bostonians into what is called their duty. Ministers, so far from turning their eyes to the impolicy and dreadful consequences of this scheme, are constantly sending out more troops, and declaring, in the language of menace, that if seventeen thousand men cannot, fifty thousand shall, enforce obedience. So powerful an army may ravage the country, and waste and destroy as they march; but, in the progress of seventeen hundred miles, can they occupy the places that they have passed? Will not a country which

which can produce three millions of people, wronged and insulted as they are, start up like hydras in every corner, and gather fresh strength from fresh opposition?[k]" In this situation and prospect, he proposed that a petition should be presented to his majesty to recal the army from Boston, as the present position of the troops rendered them and the Americans continually liable to events which would prevent the possibility of re-establishing concord. This well-timed mark of affection and good-will on our side, would remove all jealousy and apprehension on the other, and produce the happiest effects to both. If we consulted either our interest or our dignity, the first advances to peace should come from Britain. "If the ministers, on the contrary, persevere in their present measures, I will not (said he) assert that the king is betrayed, but I will pronounce that the kingdom is undone. I have crawled to tell you my opinion; I think it my duty to give the whole of my experience and counsel to my country at all times, but more particularly when it so much needs political guidance. Having thus entered on the threshold of this business, I will knock at your gates for justice, and never stop, unless infirmities should nail me to my bed, until I have at least employed every means in my power to heal those unhappy divisions. Every motive of equity and of policy, of dignity and of prudence, urges you to allay the ferment in America, by a removal of your troops from Boston, by a repeal of your acts of parliament, and by a demonstration of amicable dispositions toward your colonies. On the other hand, every danger impends to deter you from perseverance in your present ruinous measures. Foreign war hangs over your heads by a slight and brittle thread; France and Spain are watching your conduct, and waiting for the maturity of your errors." His present motion, lord Chatham said, he had formed for a solid, honourable, and lasting set-

[k] See Parliamentary Debates, January 20, 1775.

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tlement between Britain and America. This first speech of his lordship on the ministerial project of America, dictated by comprehensive wisdom operating on accurate and extensive political knowledge, made little impression on the majority of the house. The peers who supported administration expressed themselves in high and decisive language; they severely reprobated the conduct of the Americans, and asserted that all conciliatory means had proved ineffectual: it was high time (they said) for the mother-country to assert her authority; concession, in the present case, would defeat its own object; the navigation-act, and all other laws that form the great basis on which those advantages rest, and the true interests of both countries depend, would fall a victim to the interested and ambitious views of America. In a word, it was declared that the mother-country should never relax till America confessed our supremacy; and it was avowed to be the ministerial resolution to enforce obedience by arms.

His plan of conciliation

THE motion was negatived by a great majority; but lord Chatham, not discouraged by the rejection of his introductory motion, persevered in prosecuting his scheme of conciliation; for which purpose he laid before the house the outlines of a bill, under the title of "A provincial act for settling the troubles in America, and for asserting the supreme legislative authority and superintending power of Great Britain over the colonies." It proposed to repeal all the statutes which had been passed in the former session relative to America; in which were included the Quebec act, and another law that regulated the quartering of soldiers; also to rescind eight acts of parliament, passed in the present reign from the fourth year to the twelfth. It proposed to restrain the powers of the admiralty and vice-admiralty courts in America within their ancient limits, and to establish the trial by jury in all such

such civil cases in which it had been lately abolished; the judges to hold their offices and salaries as in England, *quamdiu se bene gesserint.* It declared the colonies in America to be justly entitled to the privileges, franchises, and immunities granted by their several charters or constitutions; and that such charters ought not to be invaded or resumed, unless for some legal grounds of forfeiture. But while his bill took these steps to satisfy the colonies, it vindicated the supremacy of Great Britain; expressed the dependence of America on the parent-country[1]; asserted, as an undoubted prerogative, the king's right to send any part of the legal army to whatever station in his dominions he judged expedient for the public good, and condemned a passage in the petition of the general congress which questioned that right: on the other hand it declared, that no military force, however legally raised and kept, can ever be constitutionally employed to violate and destroy the just rights of the people. His lordship, aware of the many and complicated materials of his bill, requested the assistance of the house to digest, and reduce them to the form best suited to the dignity and importance of the subject. He deprecated the effects of party or prejudice, factious spleen, or blind predilection. Though a superficial view might represent this as a bill of concession solely, just and ac-

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[1] The colonies of America, it set forth, have been, are, and of right ought to be, dependent upon the imperial crown of Great Britain, and subordinate to the British parliament; and that the king's most excellent majesty, by and with the advice and consent of the lords spiritual and temporal, and commons, in parliament assembled, had, have, and of right ought to have, full power and authority to make laws and statutes of sufficient force and validity to bind the people of the British colonies in America, in all matters touching the general weal of the whole dominions of the imperial crown of Great Britain, and beyond the competency of the local representatives of a distinct colony; and, most especially, an indubitable and indispensable right to make and ordain laws for regulating navigation and trade throughout the complicated system of British commerce; the deep policy of such precedent acts upholding the guardian navy of the whole British empire; and that all subjects in the colonies are bound, in duty and allegiance, duly to recognize and obey (and they are hereby required so to do) the supreme legislative authority and superintending power of the parliament of Great Britain.

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curate examination would discover it to be also a bill of assertion. This proposition underwent a great diversity of discussion: the variety and multiplicity of important objects comprised in it were alleged to be much too numerous for being the subject of one act; each of the objects deserved a separate consideration, and ought to be investigated with the most scrutinizing accuracy. The ministerial lords were indeed extremely violent in opposing the bill; they asserted, that it granted to the Americans whatever they wanted, without securing the rights of the British legislature. The colonists had manifested a rebellious and hostile disposition, and it would be grossly impolitic to make concessions to subjects who had shewn a resolution to revolt. In their strictures on the bill, some ministerial lords, without regarding the character, age, and services of its illustrious author, indulged themselves in petulant personalities, which answered no other purpose than to rouse the generous indignation merited by that folly which wantonly provokes superior power. He again predicted, that so violent a system would drive America to a total separation from Great Britain: foreign rivals were regarding the proceedings of the British government with the most vigilant attention, and entertaining sanguine hopes of the reduction of our power, and the dismemberment of our empire, through the incapacity and infatuation of our ministers; though cautiously forbearing interference, until, by perseverance in our ruinous plan, the colonies were completely separated from the mother-country. Such were the conclusions and predictions of consummate wisdom; but they were disregarded, and the propositions for terminating the dissensions between Britain and America were rejected by a great majority.

is rejected.

The house of commons breathed a spirit of coërcion no less vehement than that of the house of peers. On the 3d of February, the minister moved

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an address to the king, declaring Massachusets Bay to be in a state of rebellion, and detailing the acts from which he attempted to justify his assertion: they had been countenanced and encouraged by unlawful combinations in other colonies, to the injury and oppression of many of their innocent fellow-subjects resident within the kingdom of Great Britain and the rest of his majesty's dominions; and their conduct was more inexcusable, as the parliament of Britain had conducted itself with such moderation toward the Americans; but though ready to redress real grievances, dutifully and constitutionally submitted to parliament, they would not relinquish the sovereign authority which the legislature possessed over the colonies. The address besought his majesty to take the most effectual measures to enforce obedience; and assured him of the fixed resolution of the addressers, at the hazard of their lives and properties, to stand by his majesty, against all rebellious attempts, in the maintenance of his rights and those of the two houses of parliament. This was a very momentous motion, the fate of which, it was foreseen, must in a great measure determine whether there would or would not be a civil war; for were the provincials declared to be rebels, it was very probable that they would be hurried to actual revolt. The address met with strong opposition; Mr. Dunning endeavoured to prove, that the Americans were not in rebellion, and supported his assertion by an appeal to legal definitions, which he contended, did not apply to any of the acts in Massachusets. The address to the sovereign contained a charge against fellow-subjects that was not true, and asked him to prosecute a crime which had not been committed. Mr. Thurlow, the attorney-general, affirmed that the Americans were traitors and rebels, but did not prove his position from a comparison of their conduct with the treason laws. Ministerial members endeavoured to shew that they were

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Ministers conceive the conquest of America to be easy,

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and the Americans cowards.

were both rebels and cowards; colonel Grant, in particular, told the house, that he had often acted in the same service with the Americans; he knew them well, and from that knowledge would venture to predict, that they would never dare to face an English army, as being destitute of every requisite to constitute good soldiers: by their laziness, uncleanliness, or radical defect of constitution, they were incapable of going through the service of a campaign, and would melt away with sickness before they could face an enemy; so that a very slight force would be more than sufficient for their complete reduction. Many ludicrous stories were told of their cowardice, greatly to the entertainment of the ministerial members, who were all confident that America would make a short and feeble resistance.

Observations of Mr. Fox on the inspiring effects of liberty.

Mr. Fox most eminently distinguished himself, not only by the force of his reasoning and eloquence, but by the depth of his sagacity, which with a prophetic accuracy marked the consequences of the proposed measure. It would create the rebellion, which now, without grounds, was declared to exist. The ministerial inferences respecting the cowardice of the Americans were founded upon false and futile premises, and rested on the reports of officers who had served with them in the war against the French. The provincials had certainly not behaved with that uniform valour which was displayed by the regular troops, but then they considered themselves as auxiliaries, not as principals. The military operations were to promote the success of the British empire; whereas, if now driven to war, they were to fight, according to their conception, for their own liberty and property, against usurpation and tyranny. Those persons must have attended little to the passions, and the history of human conduct, who concluded, that because men were not always disposed to fight valiantly for others, they therefore would not fight valiantly for themselves. "Peruse (said

(said Mr. Fox) the history of contests for freedom; you will find that every people inspired with manly virtue enough to value and desire liberty, has always displayed energy and courage in asserting their right to so inestimable a blessing; the Americans will fight when inspired by so powerful a motive." He concluded with moving an amendment, to leave out all but the preliminary words of the address, and to substitute after them the following: "But, deploring that the information which they (the papers laid before the house) had afforded, served only to convince the house that the measures taken by his majesty's servants tended rather to widen than to heal the unhappy differences between Great Britain and America." The arguments and exertions of that extraordinary senator were of little avail; the proposed address was carried by a great majority, and was equally successful in the house of peers. Eighteen lords entered into a protest against a measure which they affirmed to amount to a declaration of war: the hostile manifesto was not, they asserted, justisfied by evidence; the acts of parliament affecting Massachusets Bay were real grievances; and those continuing unrepealed, the Americans had no reason to confide in general assurances of redress: we had refused to listen to their petitions; we would receive no information but from one side; we punished without inquiry, and branded with the name of rebels those who remonstrated against such unjust and illegal punishment. The dissentients further objected to the address, that the means of enforcing the authority of the British legislature was confined to persons whose capacity for that purpose was doubtful, and who had hitherto employed no effectual measures for conciliating or reducing the opposers of that authority. This protest, which is in fact a deprecation of the war from which Britain has since suffered so much calamity, concluded with the following words: "Parliament has never refused

Massachusets Bay declared to be in a state of rebellion.

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fused any of their [the ministers] proposals, and yet our affairs have proceeded daily from bad to worse, until we have been brought, step by step, to that state of confusion, and even civil violence, which was the natural result of such desperate measures. We therefore protest against an address amounting to *a declaration of war*, which is founded on no proper parliamentary information, which was introduced by refusing to suffer the presentation of petitions against it (although it be the undoubted right of the subject to present the same), which followed the rejection of every mode of conciliation, which holds out no substantial offer of redress of grievances, and which promises support to those ministers who have inflamed America, and grossly misconducted the affairs of Great Britain." [m]

Message from his majesty requiring an augmentation of forces.

In consequence of this address, his majesty sent a message to the house of commons, intimating his resolution, in compliance with the wishes of his parliament, to take the most speedy and effectual measures for supporting the just rights of the crown and legislature, and that some augmentation of his forces by sea and land would be necessary for this purpose. Accordingly, an increase both of the army and navy was voted; and reason was given to expect that a greater number would be required in the course of the session. Opposition insisted, that the ministerial mode of sending small bodies to America was totally inadequate to the purposes of the coërcion which they so madly sought; their violent counsels would drive the Americans to revolt, while their feeble and tardy preparations would be ineffectual to the suppression of the disturbances. Ministers, in discussing this as well as other questions, formed their conclusions on a presumption that the Americans were cowards; and continued to express the certainty of reducing all the other colonies to obedience, by merely commencing military operations in Massachusets

[m] Debrett's Parliamentary Papers, vol. iii. p. 516—518.

chusets Bay. While ministers were proceeding in preparing to compel obedience by means of a military force, they endeavoured to promote the same by other means. With this view it was resolved, until they should become submissive, to withhold from them one of their chief sources of subsistence.

Bill for prohibiting the New England provinces from commerce and fishery.

THE northern provinces had derived essential benefits from the Newfoundland fisheries. In a country not very productive in corn, a great part of the livelihood of the poor was drawn from the ocean; numbers of the inhabitants were fishermen, and had no other means of purchasing flour and other necessaries of life, but from the proceeds of that occupation. Their fisheries were, moreover, the means of sustaining a race of seamen; they were allowed to carry their cargoes to any port south of Cape Finisterre, and were accustomed to supply Spain and Portugal with fish during the season of Lent. The minister thought that by debarring them from seeking so material an article of their food where it was most likely to be found, he should at length bring them to that compliance which his other schemes had successively failed to produce. He therefore, on the 10th of February, moved for leave to bring in a bill to restrain the trade and commerce of the provinces of Massachusets Bay and New Hampshire, the colonies of Connecticut and Rhode Island, and Providence Plantation, in North America, to Great Britain, Ireland, and the British islands in the West Indies; and to prohibit such provinces and colonies from carrying on any fishery on the banks of Newfoundland, or other places therein to be mentioned, under certain conditions, and for a limited time. In support of the proposed bill, plausible arguments were adduced: the Americans had refused to trade with this kingdom, it was therefore just that we should not suffer them to trade with any other country; the restraints of the act of navigation were their charter; and the several

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several permissions to deviate from that law, were so many acts of grace and favour, all of which, when they ceased to be merited by the colonies, ought to be revoked by the legislature. The fisheries on the banks of Newfoundland, as well as all others in North America, were the undoubted right of Great Britain, and she might accordingly dispose of them as she pleased; as both houses had declared Massachusets Bay to be in a state of rebellion, it was but just and reasonable to deprive it of a benefit which it before enjoyed only by indulgence. The bill, its framer proposed, should be only temporary; and particular persons might be excepted, should they obtain certificates from the governor of their province that their behaviour was loyal and peaceable, or should they subscribe a test acknowledging the supremacy of parliament. It was proper to include the other colonies in the prohibitions imposed upon Massachusets; New Hampshire, Connecticut, and Rhode Island, bordered on that province; and, unless the privation extended to them, the purposes of the act would be defeated: besides, though the people had not broken out in actual violence, they had manifested a disposition to assist the Bostonians. The bill was very strongly opposed: its principle was alleged to involve the innocent with the guilty; to impoverish and starve four provinces, because one was asserted to be in a state of rebellion. Its impugners did not admit the doctrine of its supporters, that the vicinity of one province to another actually in rebellion, is a just reason for including the inhabitants of the tranquil province in the punishment. It was, besides, cruel to deprive poor wretches of their hard-earned livelihood, and the exception of those whom the governor might think proper to favour, would only introduce a scandalous partiality, and pernicious monopoly; but the plan was inexpedient as well as unjust, and would be extremely hurtful

to the merchants of Britain. New England owed them a great balance, and had no other means of discharging the debt, than through the fishery, and the trade which it circuitously produced; the fisheries would be lost to us, and transferred to our rivals; the inhabitants of the coasts, to prevent themselves from starving, must have recourse to other occupations, and were the provinces driven to war, would become soldiers. Thus we provoked rebellion by one set of unjust acts, and recruited the rebellious army by another. Various petitions were presented by merchants trading to America, stating the evils of the bill even to our own fisheries, as well as to commerce in general. The expostulations, however, produced no effect, and the bill was passed by a great majority in both houses.[n] A protest in the house of peers, after detailing the various objections to the principles and provisions of this measure, contains the following very striking remark on the conduct of ministry: "That government which attempts to preserve its authority by destroying the trade of its subjects, and by involving the innocent and the guilty in one common ruin, if it act from a choice of such means, confesses itself unworthy; if from inability to find any other, admits itself wholly incompetent to the end of its institution."

Plan of lord North for conciliation with America.

WHILE administration appeared bent on pursuing the most coërcive measures, lord North proposed a law, which, being professedly conciliatory, astonished not only opposition, but many of the adherents of ministers. The bill, however, was founded on a position implied in the address, "that there was a great want of unanimity in the colonies." On that principle it had been declared, that "whenever

[n] It was on the discussion of this question, Gibbon informs us, that Mr. Fox first manifested to parliament the extraordinary force and extent of his talents. "The principal men, both days, were Fox and Wedderburne, on the opposite sides; the latter displayed his usual talents: the former, taking the vast compass of the question before us, discovered powers for regular debate, which neither his friends hoped, nor his enemies dreaded." See Gibbon's letter to lord Sheffield, 1775.

any

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any of the colonies shall make a proper application to us, we shall be ready to afford them every just and reasonable indulgence." He therefore proposed, that when any of the colonies should proffer, according to their abilities, to raise their due proportion towards the common defence (the assessment to be raised under the authority of the assembly of the province, and to be disposable by parliament), and when such colony should also engage to provide for the support of its civil government and the administration of justice, parliament should forbear the exaction of duties or taxes, except such as should be necessary for the regulation of trade. It was frequently the fate of lord North's measures, both deliberative and executive, to be proposed too late for answering an end, which they might have attained had they been sooner proposed. It has been already remarked, that during many years there was a great diversity of sentiment in the several colonies, concerning principles of government, and other subjects connected with their relation to the mother-country; and that it might have been easy for the minister, by attending minutely to their different views and opinions, to have so effectually kept their interests separate, as to prevent any coalition. But the plans which he had lately pursued, had served to unite in one mass materials before discordant: from diversity, government had driven them to uniformity of views. This scheme of compromise might, and probably would, have been received by the middle and southern colonies, from lord North, at the beginning of his administration, and its reception by them must have compelled the northern republicans at length to accede; but the season was past. The minister, on introducing his motion, made a speech, in which he demonstrated that he considered his present plan as a deviation from the high system of coërcion which he had before inculcated. He quoted a variety of instances from the history of this

this country, of ministers and parliaments altering their opinions in a change of circumstances. The present system, he urged, would be a touchstone to try the sincerity of the Americans: if their opposition was founded on the principles which they pretended, they would comply with the terms; if they should refuse them, they must have been actuated by different motives from those which they professed. "We (said he) shall then be prepared, and know how to act; after having shewn our wisdom, our justice, and our humanity, by giving them an opportunity of redeeming their past faults, and holding out to them fitting terms of accommodation, if they reject them, we shall be justified in taking the most coërcive measures, and they must be answerable to God and man for the consequences." This measure appeared a concession to the colonies, and met with its first opposition from gentlemen who usually supported government. It was by some ministerial members opposed, as contrary to the principles both of the late address and other acts of government. These objections were pressed with the greatest ardour by Mr. Dundas, and also the partizans of the Bedford interest; the former, in whatever he undertook, preferred firmness and decision, and disliked the present plan as wavering and indecisive; the latter, who had uniformly been the abettors of coërcion, reprobated every indication of a conciliatory spirit. The disapprobation of persons on whose coincidence he had relied, embarrassed and distressed the minister, and he repeatedly endeavoured to explain himself, but without giving satisfaction. At length, sir Gilbert Elliot professed to reconcile the apparent deviation, and for that purpose observed, that the address contained two correspondent[a] lines of

Apprehended by one party to concede too much;

[a] This refined distinction did not prevent discerning supporters of lord North's administration from regarding such very opposite measures in the true light, as the reader may observe in the following extract from Gibbon, written upon this occasion. "We go on with regard to America, if we can be said to go on; for last Monday a conciliatory

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of conduct; on the one hand, to repress rebellion, protect loyalty, and enforce the laws; on the other, to grant indulgence to colonists who should return to their duty. For the first of these purposes, the forces had been augmented, and the prohibitory system adopted; for the last, the present plan was proposed, and without it the restrictory act would have been defective and unjust. By this proposition parliament would not lose the right of imposing taxes; that was a power which it expressly reserved, neither did it suspend its exercise; it manifested the firm resolution of the legislature to compel America to provide what we (not they) thought just and reasonable for the support of the empire. Their compliance was the only ground of their hope to be reconciled to this country. REVENUE WAS THE SUBJECT OF DISPUTE: if the Americans offered a satisfactory contribution, their past offences would be pardoned, and if they did not, we should compel them to do us justice. Members who had disliked this motion, under the idea that it was not coërcive, now become more favourable. The opponents of ministry contended, that the measure was invidious: "It carries (said they) two faces on its very first appearance: to the Americans, and to those who are unwilling to proceed in the extremes of violence against them, the minister holds out negotiation and amity: to those who have joined him, on condition (said Mr. Fox [p]) that he will support the supremacy of this country, the proposition holds out a determination to persevere in pursuit of that object. But his friends see that he is relaxing, and the committee

by another too little.

Mr. Fox opposes its inconsistency.

conciliatory motion of allowing the colonies to tax themselves, was introduced by lord North, in the midst of lives and fortunes, war and famine. We went into the house in confusion, every moment expecting that the Bedfords would fly into rebellion against those measures. Lord North rose six times to appease the storm, but all in vain; till at length sir Gilbert declared for administration, and the troops all rallied under their proper standard." Gibbon's Letter to lord Sheffield, Feb. 25th, 1775.

[p] See Parliamentary Debates, February 20th, 1775.

sees

sees that they are all ready to withdraw from under his standard. No one in this country, who is sincerely the advocate of peace, will trust the speciousness of his expressions, and the Americans will reject them with disdain. This proposition, so far from tending to disunite, would unite the Americans more closely: they would guard against artifice, as well as defend themselves against force. The minister is contradictory to himself in his professions of conciliation, and very short-sighted in conceiving that they would impose on the Americans."

THE plan was evidently only a change of the mode, not a renunciation of the right, of *levying* taxes; it was a half measure, an attempt to compromise the difference, when it was plain, from the very beginning, that there was no medium between coërcion and abandonment. If the ministry were before right, they conceded by far too much; if wrong, by far too little. Lord North was too anxious to please one party, without much displeasing the other; there was a fluctuation of counsels, a mixture of soothing and irritating measures, which reciprocally defeated the effect of each other. With abilities that fitted him for being a leader, from want of firmness he was too often a follower of men who were much inferior to himself. While this bill was the subject of discussion, he displayed more dexterity in retreating, than boldness in maintaining his post. His conciliatory plan having undergone such modifications as made a considerable change in its principle and tendency, passed the house by a majority not altogether so great as those which had voted for other propositions of ministers.

Policy of lord North wavering and irresolute.

MR. BURKE, having devoted a great part of his time and attention to inquiries into the state of America, and having concluded that an attempt to subjugate the colonists would be impracticable, persisted in recommending conciliation. On the 28th of March 1775, he proposed to the house a plan for

Conciliatory plan of Mr. Burke, on the ground of expedience.

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the re-establishment of concord. He forbore entering into the question of right, but confined himself to the consideration of expediency; and proceeded upon a principle admitted by the wisest legislators, that government must be adapted to the nature and situation of the people for whose benefit it is exercised. He therefore investigated the circumstances, modes of thinking, dispositions, and principles of action, of those men in particular, the treatment of whom was the object of deliberation. To ascertain the propriety of concession, he examined and explained the internal and external state, with the natural and accidental circumstances of the colonies. He considered them with respect to situation, resources, extent, numbers, amazing growth of population, rapid increase of commerce, fisheries, and agriculture; from which he evinced their strength and importance. He then inquired into that unconquerable spirit of freedom by which the Americans are distinguished. This violent passion for liberty, he traced from the sources of descent, education, manners, religious principles, and forms of government. He described the prosperity of America, so rapidly increased in the course of the century, and deduced from its advances, on the one hand, the benefits which had accrued, and would accrue in a still greater degree to this country, if our ancient amity were restored; on the other, their power of resistance, if we should persevere in our determination to employ force. The American spirit of liberty (he said), so predominating from a variety of causes, must be treated in one of three ways. It must either be changed, as inconvenient; prosecuted, as criminal; or complied with, as necessary. One means of changing the spirit was, by taking measures to stop that spreading population, so alarming to the country; but attempts of this sort would be totally impracticable, and even if they were not, would diminish the benefit which rendered the colonies valuable

able to the mother-country. To impoverish the colonies in general, and especially to arrest the noble course of their marine enterprises, was a project that might be compassed; but we had colonies for no other purpose than to be serviceable to us; it seemed therefore preposterous to render them unserviceable in order to keep them obedient. The second mode of breaking the stubborn spirit of the Americans, by prosecuting it as criminal, was impossible in the execution, and consequently absurd in the attempt. Perseverance in the endeavour to subjugate a numerous and powerful people, fighting for what they conceived to be their liberty, would diminish our trade, exhaust our resources, and impair our strength, without making any effectual impression upon America. From the contest with the colonies, there would also ensue a rupture with European powers, and a general war. After endeavouring to demonstrate the policy of concession, he proceeded to the principle on which he proposed that the concession should be made. His propositions (he said) were founded on the ancient constitutional policy of this kingdom respecting representation; they merely followed the guidance of experience. In the cases of Wales, the county palatine, Chester, and Durham, their utility to this country was coëval with their admission to a participation of the British constitution: our constitutional treatment of America had caused the benefits which we had derived from that country. Before 1763, we had walked with security, advantage, and honour; since that time, discontent and trouble had prevailed. "I do not (said he) examine the abstract question of right; I do not inquire whether you have a right to render your people miserable; but, whether it is not your interest to make them happy. It is not what a lawyer tells me I may do; but what humanity, reason, and justice, tell me, that I ought to do. By your old mode of treating the colonies, they were well affected to you,

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and you derived from them immense and rapidly increasing advantage; by your new mode, they are ill affected to you, and you have obstructed and prevented the emolument. I recommend to you to return from the measures by which you now lose, to those by which you formerly gained." From these arguments Mr. Burke formed his pacific propositions[q]: that the Americans should tax themselves by their own representatives, in their own assemblies, agreeable to the former usage, and to the analogy of the British constitution; and that all acts imposing duties should be repealed. Though a speech more replete with wisdom was, perhaps, never spoken in that or any other assembly, yet wisdom was unavailing, and the conciliatory plan was rejected by men determined on compulsory measures.

Mr. Hartley soon after proposed a scheme of reconcilement, intended as a medium between the

[q] He moved thirteen resolutions: of which the six first contained his general principles and plan; 1st, He moved, That the colonies and plantations of Great Britain in North America, consisting of fourteen separate governments, and containing two millions and upwards of free inhabitants, have not had the liberty and privilege of electing and sending any knights and burgesses, or others, to represent them in the high court of parliament. 2dly, That the said colonies and plantations had been made liable to, and bounded by, several subsidies, payments, rates, and taxes, given and granted by parliament, though the said colonies and plantations have not their knights and burgesses in the said high court of parliament of their own election, to represent the condition of their country; by lack whereof, they had been touched and grieved, by subsidies given, granted, and assented to in the said court, in a manner prejudicial to the commonwealth, quietness, rest, and peace, of the subjects inhabiting within the same. 3dly, That from the distance of the said colonies, and from other circumstances, no method had hitherto been devised for procuring a representation in parliament for the said colonies. 4thly, That each of the said colonies hath within itself a body chosen, in part or in whole, by the freemen, freeholders, or other free inhabitants thereof, commonly called the general assembly, or general court, with powers legally to raise, levy, and assess, according to the several usages of such colonies, duties and taxes towards defraying all sorts of public services. 5thly, That the said general assemblies, general courts, or other bodies legally qualified as aforesaid, have at sundry times freely granted several large subsidies and public aids for his majesty's service, according to their abilities, when required thereto by letter from one of his majesty's principal secretaries of state; and that their right to grant the same, and their cheerfulness and sufficiency in the said grants, have been at sundry times acknowledged by parliament. 6thly, That it hath been found by experience, that the manner of granting the said supplies and aids by the said general assemblies, hath been more agreeable to the inhabitants of the said colonies, and more beneficial and conducive to the public service, than the mode of giving and granting aids and subsidies in parliament, to be raised and paid in the said colonies.

systems

systems of lord North and Mr. Burke. His plan was, that, at the desire of parliament, the secretary of state should require the several colonies to contribute to the general expence of the empire, but leave the amount and application to the contributors themselves. Thus, on the one hand, requisition of revenue would originate with parliament; on the other, colonists would not be taxed without their own consent. The arguments so often repeated in favour of conciliation and of coërcion, were employed by opposition and ministry; and, as before, reason was overborn by numbers.

Bill for extending commercial prohibitions to the middle and southern colonies.

THE minister now introduced a second restraining bill, for extending the prohibitions of the first to all the remaining colonies, except New York; which, after undergoing a similar discussion as the other, was passed into a law. Various petitions were presented to his majesty, praying for the adoption of new measures respecting America; but of these, the most remarkable was the petition of the city of London, presented to the king by the hands of Mr. Wilkes the lord mayor. In the usual style of the addresses of the city for several years, this paper was rather a remonstrance than a petition: it justified the resistance of America, as founded upon constitutional principles; asserted that the colonies were driven to it by the corruption and tyranny of the British government; that the conduct of Britain towards America was totally opposite to the principles which had produced the revolution, and the accession of the house of Brunswick; and that it would be fatal to the commerce, prosperity, peace, and welfare of this country. His majesty expressed particular resentment at both the matter and the manner of this expostulation. A petition was about the same time presented to the house of peers from the British inhabitants of the province of Quebec, praying the favourable interposition of their lordships, as the hereditary guardians of the rights of

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the people, that the act might be repealed or amended, and that the petitioners might enjoy their constitutional rights, privileges, and franchises. Lord Camden moved a repeal of the act, on the same grounds that it had been opposed in the former year; but the motion was negatived: and a similar petition presented to the house of commons, met with a similar fate.

Loyalty of the province of New York.

THE province of New York was very opposite in habits and sentiments to its neighbours of New England: as distinguished for love of gaiety and pleasure, as the New Englanders were for austerity and puritanical zeal; and as much attached to monarchy, as the others were devoted to republicanism. They had been uniformly more moderate than any of either the middle or southern colonies; in their provincial assembly, they refused to acknowledge the congress, and declared their resolution of continuing united to Great Britain: they did not, however, profess unconstitutional submission, but stated the grounds on which they were willing to continue in allegiance. In their statement, they included various grievances; drew up a representation of their sentiments and wishes, comprehending an entreaty for the redress of the evils which they alleged to exist, and transmitted it to their agent Mr. Burke, desiring him to present it to the house of commons. In introducing this paper to the house, Mr. Burke expatiated on the favourable disposition of the province of New York. In the midst of all the violence which overspread the continent, that colony had preserved her legislature and government entire; and when every thing elsewhere was tending to a civil war, she dutifully submitted her complaints to the justice and clemency of the mother-country. Their direct application to the house afforded a fair opportunity for terminating differences. New York was a central province, which could break the communication between the northern and southern colonies;

Representation to the commons,

colonies; and, by having that country in our favour, we might be able to coërce the rest. He proposed, therefore, that the remonstrance should be read. Ministers contended, that the form of the address rendered its admission inconsistent with the honour and dignity of the British parliament; for it avoided the name of a petition, lest it should imply obedience to the legislature: the representation was therefore dismissed unheard.

is dismissed unheard.

PARLIAMENT this session came to a resolution of settling Buckingham-house on the queen, instead of Somerset-house, and vesting the latter building in his majesty for the purpose of erecting certain public offices. The last business which occupied the session of 1775 was finance. The amount of the supplies for the year was 4,307,450*l.* and a million of three per cent. annuities was paid off at 88 per cent.; 1,205,000*l.* exchequer bills were discharged, and new ones to an equal amount issued. When the money-bills received the royal assent, the speaker addressed his majesty, adverting to the heaviness of the grants, which nothing but the particular exigencies of the times could justify in a season of peace; but assuring the king, that if the Americans persisted in their resistance, the commons will use every effort to maintain and support the supremacy of the legislature. On the 26th of May, his majesty closed the session with a speech, in which he expressed the greatest satisfaction with their conduct. He declared his conviction, that the conciliatory propositions would have the desired effect in bringing back the Americans to a sense of their duty; he informed parliament, that he had received satisfactory assurances from the neighbouring powers, of their amicable dispositions; and particularly thanked the houses for the mark of their attachment lately shewn to the queen. Thus closed a session of parliament, in which, notwithstanding the

Supplies.

Session closes.

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the ablest efforts to effect conciliation, a great majority, bent upon coërcion, adopted such measures as rendered a war unavoidable between Britain and her colonies.

1775. War unavoidable.

Literary men for and against the coercion of America.

WHILE the American contest occupied the chief attention of parliament, it was also the principal subject of political literature. Three systems of conduct were proposed by writers on our disputes with the colonies: conciliation, supported by many able authors, at the head of whom was Mr. Burke; coërcion, supported by a great number of writers, with a smaller aggregate of ability, at the head of whom was a man of no less eminent talents, doctor Samuel Johnson; the third system was that of Dean Tucker, who proposed entirely to relinquish America, in which that gentleman stood alone. His scheme was ridiculed at the time by both parties; but it now appears, that even a total separation would have been more fortunate for us without hostilities, than a plan of coërcion, which, after a long and expensive war, was to end with that separation: the event has justified the anticipation of Dean Tucker's sagacity. The productions of Mr. Burke on these subjects exhibit to the historical reader a clear and complete view of what had been our policy towards America, and what had been the consequences; what then was our policy, and what then were the actual and probable consequences. They also present to the political philosopher, perspicuous and forcible reasoning upon the system which government had adopted. Doctor Johnson's essay, manifestly as it demonstrated the metaphysical ingenuity of its author, afforded little light on the merits of the question. It is a chain of reasoning upon an assumption: the first position asserts as an axiom, the very principle to be proved, the supremacy of parliament; it attempts to dazzle the understanding, by representing analogies between subjects

subjects totally dissimilar[1]. In politics, indeed, its author adhered too much to generalities to be practically beneficial; and with the most powerful mind, habituated to abstraction, he on the question of taxation reasoned rather as an acute schoolman, than as an able statesman. He did not enter into that particular consideration of the actual cases, which he employed with such powerful and happy effect in his critical and moral writings. While Mr. Burke and other authors supported the cause of the Americans on constitutional principles, and the wisdom of doctor Johnson could not prevent his peculiar prejudices from operating in impugning the claims of the Americans on very high tory principles; literary advocates arose in their favour, who fell into the opposite extreme. Doctors Priestley and Price, dissenting ministers of very great ability and eminence, refining on the speculations of the illustrious Locke, formed theories of civil and religious liberty totally incapable of being reduced to practice in any society of human beings, as far as experience ascertains to us the qualities and capacities of man; and tending, by holding up fanciful models of polity, to render the votaries of

Some of the last support the colonies on constitutional grounds;

others on assumptions inimical to established government.

[1] In order to ridicule the resistance of America, Johnson supposes Cornwall to resolve to separate itself from the rest of England, and to refuse to submit to an English parliament: holding a congress at Truro, and publishing resolutions similar to those of the Americans. "Would not (he says) such a declaration appear to proceed from insanity!"—The cases are not analogous: Cornwall is fully represented in parliament; consequently, could not have the same reason for resisting our legislature; but if we were to suppose parliament absurd and wicked enough to make laws depriving Cornwall, without any demerit, of the most valuable privileges of Britons, the Cornishmen would have a right to resist that act, because oppressive, unconstitutional, and unjust. As to the expediency of exerting the right of resistance, the case would be very different between Cornwall and America; Cornwall being both much weaker and much nearer than the colonies. It is difficult to conceive that the wisdom of Johnson could have intended the exhibition of this fanciful analogy to impress reasoning men. In the whole of the work, however, he shews, that he considered the subjugation of America, if it persevered in resistance, as certain. With many estimable and admirable qualities, by no means as a MAN entertaining a just value for freedom, he did not as a PHILOSOPHER ascribe to it its real effects; he did not reflect on the energetic spirit which inspires men fighting for what either is, or they think to be, their liberties.

these

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these writers dissatisfied with the existing establishments. Thus the opposition to the plans respecting America, though hitherto defensible on constitutional grounds, gave rise to discussions productive of visionary and dangerous doctrines, which eventually promoted very unconstitutional conduct.

CHAP. XV.

Critical state of affairs in America—general enthusiasm guided by prudence.—The provincials learn the reception of their petitions, and the measures of the new parliament.—Warlike preparations—general Gage attempts to seize stores—detachment sent to Concord—to Lexington—first hostile conflict between Britain and her colonies—British retire—an American army raised—second meeting of congress—spirit of republicanism—New York accedes to the confederacy.—War—attempt on Ticonderoga—the Americans invest Boston—battle of Bunker's hill—Americans not cowards, as represented—Provincials elated with the event—block up Boston—project an expedition into Canada—political and military reasons—Washington commander in chief.—Montgomery heads the army sent to Canada—progress on the lakes—neglected state of the British forts—enters Canada—captures Montreal—march of Arnold across the country—arrives opposite to Quebec—junction with Montgomery—siege of Quebec.—General Carleton's dispositions for its defence—attempts to storm it—Montgomery killed—siege raised.—Proceedings in the south—of lord Dunmore in Virginia.—Scheme for exciting negroes to massacre their masters—Connelly's project.—Maryland—Carolinas.—Farther proceedings of congress.—Result of 1775.

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Critical state of affairs in America.

IN AMERICA, affairs were becoming every day more critical: provincial differences were giving way to common confederation, the resolutions of the congress became the political creed, and the people were preparing to act according to the directions of that body, and zeal and unanimity were generally prevalent among the colonists. Town and provincial meetings, colonial assemblies, grand juries, judges, and even private parties, all spoke the same language, and breathed the same spirit: "we will not be taxed, but by our own consent; we will not receive

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receive the merchandize of that country which proposes such injustice; we will combine in defending our property, and resisting oppression." Accustomed to the gratifications derived from imported luxuries, the inhabitants of this rich and great commercial country resolutely relinquished all those indulgences: the pleasures of the table, elegance of dress, splendour of furniture, public diversions, the conveniences, ornaments, and relaxations of life, were sacrificed to one general sympathy; all ranks were inspired with an enthusiasm, which, from whatever cause it arises, and to whatever objects it is directed, never fails to be most powerful in its operation, and important in its effects. The merchant resigned the advantages of commerce; the farmer gave up the sale of his productions and the benefits of his industry; the mechanic, the manufacturer, the sailor, submitted to the privation of their usual means of subsistence, and trusted for a livelihood to the donations of the opulent, which, from the same sympathetic feelings, and conformity of opinions and determinations, were most liberally bestowed. It was not temperance that rejected luxury; it was not indolence that precluded commercial enterprize and professional effort; it was not generosity which made the rich munificent; or idleness or servility which made the poor seek subsistence from the gifts of the wealthy. All ordinary springs of action were absorbed by the love of liberty; and the enthusiastic ardour of the colonists was regulated and guided by prudence and firmness. While in most of the provinces they made preparations for hostility, should Britain persevere in coërcive measures, they abstained from actual violence. It was hoped by many, that the petition of congress to the throne would be attended with success; and also, that the address to the people of England would be productive of useful effects, and influence the deliberations of the new parliament. They did not, however,

General enthusiasm.

guided by prudence.

however, intermit their attention to warlike affairs; they exercised and trained the militia; and, as soon as advice was received of the proclamation issued in England to prevent the exportation of arms and ammunition to America, measures were speedily taken to remedy the defect. For this purpose, and to render themselves as independent as possible on foreigners for the supply of these essential articles, mills were erected, and manufactories formed, both at Philadelphia and Virginia[a], for making gun-powder, and encouragement was given in all the colonies to the fabrication of arms. It was in the northern provinces that hostilities commenced: when the proclamation concerning warlike stores was known in Rhode island, the populace, rising, seized on all the ordnance belonging to the crown in that province, amounting to forty pieces of cannon, which had been placed on batteries for defending the harbour, and these they removed into the country. Inquiry having been made by the governor concerning this procedure, the provincials did not hesitate to avow that their object was to prevent the cannon from falling into the hands of his majesty's forces, and that they intended to employ them against any power which should attempt molestation. The assembly of the province also passed resolutions for procuring arms and military stores, by every means and from every quarter in which they could be obtained, as well as for training and arming the inhabitants. In New Hampshire, hitherto moderate, the proclamation caused an insurrection; a great number of armed men assembled, and, surprising a small fort called William and Mary, took possession of the ordnance and other military stores. Meanwhile the colonies anxiously waited for the king's speech, and the addresses of the new parliament; the tenour of which would in a great degree determine whether the British government meant coërcion or conciliation.

[a] See Stedman.

On

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Provincials learn the measures of the new parliament.

On the arrival of those papers, they produced the very effect which opposition had predicted. Instead of intimidating the Americans, they impelled them to greater firmness, to a more close and general union. In proportion as government manifested itself earnest to force them to submission, the more resolved were they to resist that force: they considered Britain as attacking their rights and liberties, and these they determined to defend. The provincial conventions of the southern provinces now imitated those of the north, in passing resolutions for warlike preparations; which, before the arrival of the speech and addresses, had not been proposed by any of the middle or southern assemblies, but had been left to individuals. The provincial convention of Pennsylvania passed a resolution of the nature of a hostile manifesto; declaring their wish to see harmony restored between Britain and the colonies, but that if the humble and loyal petition of the congress to his majesty should be disregarded, and the British administration, instead of redressing grievances, were determined by force to effect a submission to the late arbitrary acts of parliament, in such a situation they held it their indispensable duty to resist that force, and at every hazard to defend the dearest privileges of America. Preparations were now making throughout the colonies for holding a general congress in the month of May; while in the intermediate time the provincial conventions continued to meet, in order to appoint delegates to the congress, direct and hasten military preparations, and encourage the spirit of resistance in the people.

Warlike preparations.

But, as the republican spirit of Massachusets had from the beginning carried opposition to a much greater length than in the other colonies, so in this province actual hostilities first commenced. The provincial congress having met in February 1775, directed its chief attention to the acquisition of arms and warlike stores, by purchase, seizure, or any

other means. Contributions were levied for defraying the expence of warlike preparations. The most violent of the Bostonians had removed into the country, to join the other colonists; but those who remained in the town, though less outrageous, were equally hostile: they greatly co-operated with their friends in the country, by communicating whatever they could discover of the intentions of the British governor, and by this means became more instrumental in defeating his plans.

General Gage attempts to seize stores.

GENERAL Gage having received intelligence that some ordnance was deposited at Salem, on the 26th of February sent a detachment to bring the stores to Boston. The troops embarked on board a transport, and landing at Marble-head, proceeded to Salem; but the Americans having received information of the design, had removed the cannon. The commander of the detachment marched farther into the country, in hopes of overtaking the stores; but was stopt by a small river, over which there had been a draw-bridge: this had been taken up by a multitude of people on the opposite shore, who alleged that it was private property, over which they had no right to pass without the consent of the owner. The officer, seeing a boat, resolved to make use of it for transporting his men; but a party of peasants jumped into the boat with axes, and cut holes through the bottom. A scuffle arose between them and the soldiers about the boat; a clergyman who had seen the whole transaction interposed, and having convinced the people that the pursuit of the cannon was now too late to be successful, prevailed on them to let down the bridge. The British troops passed; and, finding their object unattainable, returned to Boston.

Detachment sent to Concord;

DURING the spring, the provincial agents had collected a great quantity of stores, which were deposited at Concord, a town situated twenty miles from Boston. Informed of the magazine, general Gage sent

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sent a body of troops, late in the night of the 19th of April, to destroy these stores. The detachment consisted of the grenadiers and light infantry of his army, and the marines, under the command of lieutenant-colonel Smith and major Pitcairn, amounting to about nine hundred men. The troops took every precaution to prevent the provincials from being informed of their march; but they had not advanced many miles, before it was perceived, by the firing of guns and the ringing of bells, that the country was alarmed. Colonel Smith, finding that their destination was suspected, if not discovered, ordered the light infantry to march with all possible dispatch to secure the bridges and different roads beyond Concord; and to intercept the stores, should they be attempted to be moved. These companies about five in the morning reached Lexington, fifteen miles from Boston, where they saw a body of provincial militia assembled on a green near the road. The Americans, before this time, had disclaimed all design of attacking the king's troops, professed to take up arms only for the purpose of self-defence, and avoided skirmishes with the British soldiers; but on this day hostilities actually commenced, and here the first blood was shed in the contest between Britain and America. When the British troops approached, the Americans were questioned for what purpose they had met, and ordered to disperse; on which the colonists immediately retired in confusion. Several guns were then fired upon the king's soldiers from a stone-wall, and also from the meeting-house and other buildings, by which one man was wounded, and a horse shot under Major Pitcairn. Our soldiers returned the fire, killed some of the provincials, wounded others, and dispersed the rest. The Americans asserted, that the fire began on our side; and besides endeavouring to establish the assertion by testimony, argued from probability: our light infantry consisted

to Lexington.

First hostile conflict between Britain and her colonies.

sisted of six companies; the militia assembled at Lexington, of only one company; was it probable (they asked) that an inferior number of militia would attack a superior number of regular troops? To this the obvious answer is, the indiscretion of an alleged act is not a proof that it was not committed, nor is it sufficient to overturn positive evidence. The British officers who were present gave the account which general Gage reported in his letters to government[a], that the Americans fired first; and on the testimony of several respectable gentlemen of unimpeached character, this assertion rests.

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The Americans being routed, the light infantry, who were now overtaken by the grenadiers, marched forward to Concord. A body of provincial militia being assembled upon a hill near the entrance of the town, the light infantry were ordered to drive them from that position, when the provincials were accordingly dislodged, and pursued to a bridge beyond the town; but rallying on the other side, a sharp action ensued, in which several of both parties were killed and wounded. Meanwhile the grenadiers destroyed the stores at Concord; and the purpose of the expedition being accomplished, the light infantry were ordered to retire, and the whole detachment to march back to Boston. The provincials being by this time alarmed, assembled from all quarters, and posting themselves in ambuscade, among trees, in houses, and behind walls, harassed the British troops on the flank and rear. On their arrival at Lexington, the king's soldiers met lord Percy, who was advancing with a second detachment to support the first. The corps which had been at Concord was so overcome with fatigue, that they were obliged to lie down for rest on the ground, while lord Percy formed his fresh troops into a square, which enclosed colonel Smith's party. The troops being refreshed, they proceeded on their

The British retire.

[a] London Gazette of June 10th, 1775.

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march to Boston, still very much harassed by the Americans, whose fire they could not return, as it issued from concealed situations, which they left as soon as their muskets had been discharged. They arrived at Boston, late in the evening, quite exhausted: the loss on each side amounted to about sixty killed and wounded. This first engagement demonstrated, that the Americans, though not inured to military discipline, possessed both courage and activity; and, being well acquainted with the country, had skill to avail themselves of that advantage. The conflict also illustrated the species of warfare by which they could most successfully annoy the British soldiers. In open field, they could not, till better disciplined, meet us without certain loss; but by ambuscade, harassing our marches and straitening our quarters, they were able to compensate their deficiency in a regular battle. Their own military state and the nature of the country, dictated irregular operations, and the occurrences of this day exemplified the expediency of a cursory mode. The British troops, though consisting in all of two thousand men, being so pressed by those desultory assailants, farther proved, that the Americans were not altogether such contemptible warriors as the informers of government had represented, and the credulity of ministers and their supporters believed.

The Americans represented this march of the British troops back to Boston as a retreat, and themselves as having gained a victory; at the same time they declared hostilities to have been begun by the king's forces. Irritated by this conceived aggression, and by the reduction of their stores, and elated by their supposed success, their countrymen imagined that they could drive the royal army from Boston: they were farther inflamed by a report, that one object of the expedition to Concord was to seize John Hancock already mentioned, and

Samuel Adams, two leading characters in the provincial convention, and the latter a delegate to the general congress. The militia poured in from every quarter of the province, and formed a considerable army, with which they invested Boston. The army being in the field, the provincial congress passed regulations for arraying it, fixing the pay of the officers and soldiers, levying money, and establishing a paper currency to defray expences, pledging at the same time the faith of the provinces for the payment of its notes. The congress farther resolved, that general Gage, by his late conduct, had utterly disqualified himself from acting in the province as governor, or in any other capacity, and that no obedience was due to him; but, on the contrary, that he was to be considered as an inveterate enemy. Thus they assumed both the legislative and executive authority: meanwhile they attempted to justify their conduct in an address to the people of Great Britain; to whom they presented their statement of the actions at Lexington and Concord. They still made great professions of loyalty, but would not (they said) tamely submit to persecution and tyranny; appealed to heaven for the justice of their cause, and declared that they were determined either to be free or die. Their account of the contest at Lexington being rapidly spread through the other colonies, was received with unhesitating belief, and produced throughout the continent nearly the same effect as in their own province; stimulating resentment to hostility, and encouraging hopes of success. Similar resolutions were adopted by the other provinces, concerning the array of an army, the establishment of a revenue, and the civil administration of affairs. Lord North's conciliatory plan now arriving, was every where rejected, and increased their indignation. It was (they said) a weak attempt to disunite the colonies, and by detaching

An American army is raised.

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a part from the defence of their rights, to reduce the whole to such terms as the British government thought proper to impose: they execrated the intention as tyrannical, but despised the design as inefficacious.

Second meeting of the general congress.

SUCH was the American disposition of mind when the general congress assembled on the appointed day at Philadelphia; and the measures which they adopted, confirmed the provincial meetings in their resolutions and conduct. The influence of the sentiments and principles of Massachusets Bay had been growing stronger in the other colonies, ever since the Boston port bill: in that province originated the general continental assembly, the confederacy of the association, the several addresses, and, in short, the chief resolutions of the congress of 1774. In the present session their first step was, to appoint Mr. Hancock, the most active instigator of Massachusets, president. Their next measure was to raise an army, and establish a paper currency, according to the model of Massachusets. On these notes was inscribed, *The United Colonies*, as the security for realizing the nominal value of this currency. To retaliate upon Britain for the prohibitory act, they strictly prohibited the colonies from supplying the British fisheries with any kind of provision; and, to render this order the more effectual, stopped all exportation to those settlements which still retained their obedience. They voted, that the compact between the crown and the people of Massachusets Bay was dissolved by the violation of the charter of William and Mary; and therefore recommended to the inhabitants of that province to proceed to the establishment of a new government, by electing a governor, assistants, and a house of assembly, according to the powers contained in their original charter. They passed another resolution, that no order for money written by any officer of the British army or navy, their agents or contractors,

tractors, should be received or negotiated, or supplies of any kind afforded either to land or sea forces in British service; they also erected a general post-office at Philadelphia, to extend through the united colonies. Thus did the general congress assume all the powers of sovereign authority: they agreed on articles of perpetual union, by which they formed themselves into a federal republic for common defence, for the security of liberty and property, the safety of persons and families, and mutual and general welfare. Each colony was to regulate its constitution within its own limits, according to the determination of its convention; but whatever regarded federal security, welfare, and prosperity, was to depend on the congress. This body was also to have the determination of peace and war, alliances, and arrangements for general commerce or currency. The congress was to appoint, for the executive government of the united states, a council of twelve from their own body, to hold offices for a limited time; and any of the colonies of North America, which had not joined the association, might become members of the confederacy, on agreeing to the conditions.

Spirit of republicanism

These were the leading institutions of a combination which formed its system on principles evidently not monarchical. Several colonies had been loyal, and attached to kingly government, though others were originally democratic; but now the measures of the British administration had amalgamated all their provincial differences into one mass of republicanism. The province of New York, disgusted at the disregard shewn to their application to both houses of parliament, now entered into the colonial views with as much eagerness as their most ardent neighbours. Georgia also in a few weeks joined the confederacy; and thus from Nova Scotia to Florida there was one general determination to resist the claims of Great Britain.

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Attempt on Ticonderoga.

In this month some private persons belonging to the back settlements of New York and Massachusets, without any public command or even suggestion, undertook an expedition to Ticonderoga and Crown Point. The leader of this enterprise was an active adventurer, named Ethan Allen: this partisan, having been frequently at Ticonderoga, had observed a great want of discipline in the garrison, from which he inferred that it would be easy to take it by surprise. Having proceeded with secrecy and dispatch, he captured the fort without any resistance, and immediately after made himself master of Crown Point. These fortresses, by commanding Lakes George and Champlain, and forming one of the gates of Canada, were of signal importance; but ministers having been so completely misinformed as to expect no military exertions from the Americans, had not thought it necessary to guard against their enterprises.

The provincial forces now blockaded Boston by land; and the neighbouring countries refusing to supply the British with fresh provisions and vegetables by sea, they began to experience the inconveniences of a complete investment. These were increased by the number of inhabitants who still remained in the town, and whom the governor thought it expedient to retain as hostages. On the 25th of May, a considerable reinforcement arrived from Britain, under generals Howe, Burgoyne, and Clinton. Gage, who since the formation of the American army had confined himself to defence, now judged his force sufficiently strong for offensive measures. As a preliminary step to the commencement of his movements, on the 12th of June he issued a proclamation, offering in his majesty's name a free pardon to those who should forthwith lay down their arms (John Hancock and Samuel Adams only excepted), and threatening with punishment all who delayed to avail themselves of the proffered mercy,

mercy. By the same edict, martial law was declared to be in force in the province, until peace and order should be so far restored, that justice might be again administered in the civil courts. This proclamation was not only disregarded by the provincials, but considered as the prelude to immediate action; dispositions were therefore made for hostilities.

THE town of Boston is situate upon a neck of land, projecting north-east into the ocean, and joined to the continent by a narrow isthmus, formed by the sea on the south, and Charles river on the north. Across the mouth of the river, north-west from Boston, is another neck of land, at the eastern extremity of which is situated Charlestown, somewhat more than a quarter of a mile over the frith from Boston. This is a spacious and well-built town, and an advantageous post for either the attack or defence of the neighbouring city; it had hitherto been neglected, however, by both parties. General Gage, perceiving hostilities inevitable, prepared to fortify this post. Informed of the governor's intention, the provincials resolved, if possible, to prevent its execution, by occupying it themselves. Between the isthmus and town of Charlestown, there is a rising ground called Bunker's hill, of gradual ascent from the country, but very steep on the side of the town, and near enough to Boston to be within cannon-shot. This position the provincials resolved to seize and fortify; and to execute the design, a strong detachment marched from the camp at Cambridge, about nine in the evening of the 16th of June, which, passing silently to Charlestown neck, reached the top of Bunker's hill without being discovered. Having previously provided tools for entrenchment, they spent the night in throwing up works in front; and with such activity and dispatch did they proceed, that before the morning their fortifications in many places were cannon-proof. At break of day the alarm

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alarm was given at Boston, and a cannonade began from a battery, the town, and the ships of war in the harbour. The provincials, nevertheless, went on with their works, and bore the fire with great firmness. About noon, general Gage sent a detachment over to the peninsula of Charlestown, under the command of major-general Howe and brigadier-general Pigot, with orders to drive the provincials from their works. The troops formed without opposition, as soon as they landed; but the generals perceiving the colonists to be strongly posted on the heights, already numerous, and additional troops pouring in to their aid, determined to send over for a reinforcement. A fresh detachment soon arriving, the whole body, consisting of more than two thousand men, moved on in two lines towards the enemy, having the light infantry on the right, and the grenadiers on the left. The Americans had their right wing near Charlestown, and were covered by a body of troops posted in that town, as well as by a redoubt which they had raised in the morning.

Battle of Bunker's hill,

The battle was begun by the British artillery, and soon became general. The British left wing was much annoyed by firing from the houses of Charlestown, and a very severe conflict took place in that town. The main body of the provincials meanwhile received general Howe's division with great vigour, and kept up a close fire, which it required the utmost efforts of the regulars to withstand, and they could not avoid being thrown into some disorder; but rallying, and being encouraged by their officers, they returned to the charge with impetuosity, climbed up the steep hill in the face of the enemy's fire, and forced the intrenchments with fixed bayonets. General Pigot, after experiencing a gallant resistance, the town of Charlestown having been set on fire, succeeded in driving the enemy from their redoubt; and in the retreat the provincials sustained considerable loss, from the cannonade

of

of floating batteries and ships of war in Boston harbour.

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THOUGH in this engagement the British carried their point, they succeeded at a great expence, having lost more than half the detachment; two hundred and twenty-six were killed, and eight hundred and twenty-eight wounded; nineteen commissioned officers being included in the former, and seventy in the latter. Among the killed were lieutenant colonel Abercrombie and major Pitcairn, officers of eminent respectability, and extremely lamented. The loss of the Americans, according to their own account, did not exceed four hundred and fifty. The plan of attack by the British has been blamed by some military critics, who have declared that the generals ought to have gone [1] round to Cambridge, and commenced their attack from the western side of the hill, where it was easy of ascent; and that thus the Americans would not have been defended by their works, which were only raised opposite to Boston, and not round the whole hill; besides which, they might have cut off the retreat of the provincials, and compelled them to surrender at discretion. It was replied to these strictures, that the British themselves, by the proposed movement, would have been exposed to the main army of their antagonists, and hemmed in between that force and the detachment at Bunker's hill. The British were also blamed for not pursuing the retreating Americans, and defended on the same grounds as from the censure of the attacks: they might thus have exposed themselves to a numerous body of fresh enemies. The battle of Bunker's hill was a new instance of the valour of British troops; but in that respect proved no more than what had been uniformly experienced, and was therefore to be confidently expected. On the other hand, it evinced the valour of the Americans, who, though

proves the Americans not cowards, as represented by ministers.

[1] Stedman, vol. i. p. 12.

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rough undisciplined peasants, had made so bold and obstinate a stand against regular troops, and demonstrated how inaccurately ministry had been informed, or how weakly they had reasoned, when they concluded that the colonists would not fight. The provincials, after the battle of Bunker's hill, fortified another hill opposite to it, and without the isthmus; and thus inclosed the king's troops in the peninsula of Charlestown as well as Boston. The British claimed the honour of the victory, because they had driven the enemy from the field; the Americans asserted that they were really successful, because, though dislodged from one post, they had blocked up the regulars, and, by keeping them from offensive operations, frustrated the purpose for which they had been sent. The royal arms (they said) had been sent there for the purpose of reducing this province; instead of effecting which, they were debarred by the provincials from every offensive operation.

The provincials are elated with the event, and block up the British at Boston.

THE general congress still continued to sit; and having received Gage's proclamation, considering it as a hostile manifesto, they resolved to answer it by a counter-manifesto, setting forth the causes and necessity of taking arms. This was a very masterly paper, and in point of ability equal to any public declaration recorded in diplomatic history. It enumerated, with clearness and plausibility, the alleged causes of the war, deduced the history of the American colonies from their first establishment, marked the principles of their settlements, and described their conduct to have been such as their principles required. It also sketched the policy of Britain in former times, and in the present; the beneficial consequences which accrued to both parties from the one, and the baneful effects from the other; repeated the grievances before stated; and added new subjects of complaint, in the redress and hearing refused, and in the measures for subjugation adopted. After detailing those acts and counsels,

as

as being, together with antecedent proceedings, the causes of the war, and appealing to God and man for its justice, they specified the resources by which they should be able to carry it on with force and effect. They still professed to deprecate the continuance of hostilities; and, during this session, they drew up a petition to the king, praying that he would prevent the farther effusion of blood, and adopt some means for a change of measures respecting America. They also appealed in addresses to the people of Great Britain and Ireland.

WHATEVER might be their desire for peace, they were not only preparing for defensive war, but forming plans of offensive operations. They appointed George Washington, esq. (a gentleman of independent fortune in Virginia, who had acquired considerable experience and character during the preceding war,) commander in chief of the American forces; and nominated Artemus Ward, Charles Lee, Philip Schuyler, and Israel Pitcairn, esqrs. to be major-generals; and Horatio Gates, esq. adjutant-general. Of these general officers, Lee and Gates were English gentlemen, who had acquired honour in the last war, and who, from disgust or principle, now joined the Americans; Ward and Pitcairn were of Massachusets Bay, and Schuyler of New York. The congress also fixed and assigned the pay of both officers and soldiers; the latter of whom were much better provided for, than those upon our establishment. In July 1775, general Washington arrived at the camp before Boston, and all ranks vied in testifying attachment and respect for their new commander. The military spirit was very high throughout the continent; persons of family and fortune, who were not appointed officers, entered cheerfully as privates, and served with alacrity; even many of the younger quakers, forgetting their passive principles of forbearance and non-resistance, took up arms, formed themselves into companies at Philadelphia, and applied

George Washington is appointed their commander in chief.

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plied with the greatest labour and assiduity to acquire proficiency in the military exercise and discipline.

Boston continued to be blocked up during the whole year, and the British troops were greatly reduced by disease, and various evils incident to such a situation. The government had declared a resolution to subjugate the Americans if they did not submit, and the colonists not having yielded, government had made the attempt, proclaiming its assurance of success. The event was, that our troops, instead of making any progress in reducing the enemy, were shut up in a corner, and forced to remain in a state of inaction. Such was the result of the first campaign of Britain against Massachusets Bay.

Project and expedition to Canada.

The congress began now to turn their eyes towards Canada. In that province, they knew the late acts were very unpopular, not only among the British settlers, but the French Canadians themselves, who having experienced the difference between a French and British constitution, gave the preference to the latter; and besides, having formed connexions with their fellow-subjects, many of them adopted their sentiments. The Canadians were displeased with the neglect of the petition presented against an offensive law, and therefore the more readily disposed to favour associations against odious acts. The extraordinary powers placed in the hands of general Carleton, governor of Canada, by a late commission, were new and alarming, and appeared to the inhabitants evidently to demonstrate the purposes for which they were granted. By these he was authorized to embody and arm the Canadians, to march them out of the country for the subjugation of the other colonies, and to proceed even to capital punishment, in all places, against those whom he should deem rebels and opposers of the laws. As soon as British troops should arrive sufficient in number

Political and military reasons.

number to enable them to act offensively, the colonists did not doubt that they would march down from behind upon the resisting provinces. He had also engaged a number of Indians, as the provincials supposed, with the same intent. To co-operate with the disaffected in Canada, and to anticipate the probable and suspected designs of general Carleton, they formed the bold project of invading his province. The scheme being adopted, its successful execution depended chiefly on the celerity of movement; while the British troops were cooped up at Boston, and before reinforcements could arrive from England. The advantages gained by Ethan Allen greatly facilitated the success of the enterprise. In August, three thousand men, commanded by generals Schuyler and Montgomery, marched to lake Champlain; which crossing in flat-bottomed boats, they proceeded to St. John's. Schuyler now falling sick, the command devolved upon general Montgomery. This gentleman, by birth an Irishman, and of a good family, had served in the seven years war with great reputation in America; after the peace, he had settled in that country, purchased an estate in New York, married a lady of that province, and from that time considered himself as an American. He was a great lover of liberty; and conceiving the Americans to be oppressed, and driven to resistance, he was induced by principle to quit the sweets of an easy fortune, and the enjoyment of a loved philosophical rural life, with the highest domestic felicity, and to take an active share in all the dangers of war. Besides his skill in military affairs, he possessed in a high degree the important power of conciliating the affections of men: thus he easily recruited his troops, and rendered them ardent in the execution of his designs. He detached the Indians from general Carleton's service, and having received some reinforcements from the artillery, prepared to besiege Fort St. John's, which was garrisoned by the seventh

Montgomery heads the expedition.

and

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and twenty-sixth regiments, being nearly all the British troops in Canada.[u] The popularity of the cause and of the general procured the Americans supplies of provisions, and every other assistance which the Canadians could contribute to the advancement of the siege. The progress of Montgomery, however, was retarded by want of ammunition, and to supply this defect, he proposed to make himself master of Fort Champlain, a small garrison, five miles from the scene of his operations, in which he understood a considerable quantity of ammunition was deposited. In the fort there were about one hundred and sixty men, commanded by major Stopford. Montgomery sent against the place three hundred men, with only two six-pounders, and hardly any ammunition; they formed no regular battery, which would, indeed, have been useless to a force so scantily provided with artillery. It was expected that the garrison would have been able to hold out against such a siege, but it surrendered the 3d of November, on condition that they should be allowed to go out with the honours of war. It was much regretted, that the English commander had not destroyed the ammunition; as, falling into the hands of the Americans, it enabled them to proceed with more important operations. Meanwhile Ethan Allen, understanding that Montreal was in a very defenceless state, attempted to add this important place to his former conquests; and with a hundred and fifty men he crossed the river St. Lawrence, about three miles below Montreal; but the towns-people, being better disposed towards England than many of the other Canadians, joined the garrison, which did not exceed thirty-six men, and under major Campbell attacked and defeated Ethan Allen's detachment, and took the colonel himself prisoner.

His progress on the lakes.

Colonel Maclaine, a brave and experienced officer, a Scotch highlander by birth, prepared to raise a

[u] Stedman, vol. i. p. 133.

regiment

regiment of his countrymen, who had emigrated from the Western Isles to America, and had not obtained the settlements which they expected. Having collected about three hundred, he gave them the title of the Royal Highland Emigrants, and proceeded with them to Montreal, expecting to be joined by general Carleton, who intended to cross the river at that place, and march to the relief of St. John's. The general arriving, found his whole force, including the party by which he was there joined, not to exceed a thousand men, and chiefly irregulars. With these having attempted to land on the south side of the river, he was encountered by a party of the provincials, who easily repulsed his forces, still more undisciplined than themselves, and disconcerted his whole project. The capture of Fort Champlain on the 20th of October, greatly facilitated the siege of St. John's, now deprived of all hopes of assistance from the governor of Canada. The American general having obtained plenty of ammunition, proceeded with such vigour, that in ten days he compelled the Fort to surrender at discretion on the 2d of November. Montgomery lost no time in improving his advantage, but, crossing St. Lawrence, proceeded to Montreal, which being incapable of defence against the American force, the general evacuated it, and retired to Quebec. The Americans, finding Montreal defenceless, when the inhabitants offered to capitulate, answered, that from their situation they could not, as enemies, have any title to expect a capitulation; that, however, the Americans had not come to Canada as enemies, but as friends; on that ground, he pledged himself to protect them in the enjoyment of their rights, conformably to the British constitution before its violation by the Canada act, and promised to burden them as little as possible. Montgomery's moderate proceedings increased his popularity among the Canadians. Having taken possession of Montreal, he

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He enters Canada, and captures Montreal.

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made dispositions for advancing to besiege the capital of Canada, and there were several circumstances favourable to his hopes of success. The works of the town had been greatly neglected from the time of the peace; as, by the cessions of France, no enemy was conceived to be in the vicinity. The garrison did not consist of above eleven hundred men, of which very few were regulars; and the greater number of the inhabitants were ill-affected to the framers of their new constitution. General Carleton, though of high military reputation, was by no means conciliating in his manners; his social attention was almost solely bestowed on the Canadian noblesse, without extending to the much more numerous and more truly important class of commoners, and he was considered as the principal instigator of the ministry to the measures which they had proposed for governing that province.

March of Arnold across the country.

WHILE the British governor, with these disadvantages, undertook to defend Quebec against Montgomery, an attempt was made from another quarter to take that city by surprise. Colonel Arnold, having a command under Washington before Boston, submitted to the general a plan of attacking Quebec by a route hitherto untried, and deemed impracticable. The river Kenabec reaches from the sea as far as the Lake of St. Peter, at no great distance from Quebec. The colonel proposed to proceed by sea to the mouth of this river in New Hampshire, with one thousand five hundred men; to sail up the river, which is navigable to near its source; and penetrating through the forests and hills which constitute the frontier of New England and Canada, to come upon Quebec on a side on which it could not possibly expect to be attacked. Washington approving of the plan, Arnold speedily set sail with his troops. Their difficulties in the river, which is full of rocks and shoals, were extremely great, but their fortitude and perseverance were still greater.

In

In some places the navigation was so hazardous, that they were obliged to come on shore, and carry their boats and rafts on their backs. Having by their intrepidity and perseverance, notwithstanding these obstacles, arrived at the end of the water-course, they had still other difficulties to surmount by land. The forests which they had to traverse, were filled with swamps; the hills which they must cross, were steep and rugged; their provisions began to fail; which, together with the fatigue that they had endured, produced distempers[x]. A third part of the detachment deserted, with a colonel at its head; but Arnold, neither dispirited by this desertion, nor by the distempers under which the remainder of the troops laboured, left the sick behind, marched on, and on the 9th of November, six weeks after his departure from Boston, arrived on the banks of St. Lawrence opposite to Quebec, and there pitched his camp on a spot called Point Levy. The Canadians received the Americans here with the same good-will that Montgomery's corps had experienced in the neighbourhood of Montreal; they supplied them liberally with provisions and necessaries, and rendered them every other assistance in their power. Arnold immediately published an address to the people, signed by general Washington, of the same nature with that which had been before issued by Schuyler and Montgomery. Fortunately, when Arnold arrived on the banks of the river, the boats had been removed, so that he could not immediately cross; and thus was he prevented from accomplishing his purpose of taking the place by surprise. Before he had time to provide boats and rafts, the city was alarmed; and this delay saved Quebec. Having no artillery, Arnold was not prepared for a siege; he, however, attacked one of the gates, and was repulsed with great slaughter. Seeing the impracticability of taking the town without cannon,

He arrives opposite to Quebec.

[x] Stedman's History, vol. 1. p. 138.

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he crossed the river and occupied his former position, determined to remain there, where he could intercept supplies and communication, until Montgomery should arrive from Montreal. Montgomery, after the capture of that place, employed himself in constructing flat boats; and the British armament, consisting of eleven armed vessels, on board of which were general Prescot, and some other officers of rank, together with a large quantity of military stores, was obliged to surrender to his victorious arms.

His junction with Montgomery.

The American general having on the 5th of December joined Arnold, appeared before Quebec, and immediately sent a summons to Carleton to surrender. The British general treated this demand with contempt, and refused to hold any correspondence with a rebel.

Siege of Quebec.

The American commanders, who were still very slenderly provided with artillery, rested their chief hopes of intimidating the garrison by the appearance of their united forces, and on the co-operation of the disaffected inhabitants. In both these expectations, however, they found themselves disappointed: the garrison resolved to defend itself to the last extremity; and the most powerful inhabitants having a large property in the city, however ill-affected towards Britain, seeing that by the admission of the colonists their effects would be in danger, and that therefore it was their interest to defend the city, were no less anxious than the most loyal friends of government to prevent it from being taken, and to stimulate the efforts of the rest of the citizens, with whom, from their situation, their influence was great.

Efforts for its defence.

Between the British troops and the inhabitants of Quebec, ill-disposed as they reciprocally were, and different as were their motives, there prevailed as perfect and effective an unanimity of counsels and exertions, as if they had been actuated by the same spirit. The American commander, unprepared for a regular siege, at a season

of the year so inimical to encampments in those cold and tempestuous regions, had no alternative, but either to desist from the attempt, or to take the city by storm. To tarnish by retreat the brilliancy of the first campaign, hitherto so auspicious, military glory forbade; policy dictated, that nothing should be left undone to maintain the public ardour, at present glowing from success; and many of the troops threatened to leave the general, if he did not try to accomplish the chief object of the expedition. All these reasons determined Montgomery to make the attack, though he was fully aware of the difficulties. The measure was no doubt adventurous; but it was probably one of those hazards which must be incurred, in situations in which defeat, after an arduous struggle, is immediately less dishonourable, and ultimately less prejudicial, than the abandonment of an object without contest. Whatever may be thought of the general's determination to attempt a storm, there was but one opinion concerning the dispositions which he made for attack; these were by all military judges allowed to be skilful and masterly. The plan was, to make four assaults: two false, by Cape Diamond and John's Gate; and two real, under Cape Diamond, by Drummond's wharf and the Potash. These operations were to be begun on the 31st of December, at break of day; but, by some mistake, an alarm was given before the real attacks commenced, so that the false assaults did not produce the intended diversion. Montgomery headed one of the real attacks, and Arnold the other. Montgomery, with nine hundred men, had to pass through a narrow defile between two fires: he led his men, however, with the greatest coolness and intrepidity; he passed the first barrier, attended by a few of his bravest officers and men, and marched boldly at the head of the detachment to attack the second: this barricado was much stronger than the first; several cannon were there

Attempt to storm it.

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planted, loaded with grape-shot, accompanied with a well-supported discharge of musquetry. From one of these, an end was put to the hopes of America in the gallant Montgomery. The general was among the first that fell, and with him his aid-de-camp and several other gallant officers. The Americans, deprived of their gallant leader, made a short pause, but did not retreat. They continued the attack for a considerable time with courage and firmness; but, finding their efforts ineffectual, they retired. Arnold, in his part of the attack, was at first successful, he took possession of the lower town, but being wounded, was obliged to retire from battle. The next in command supplied his place with intrepidity and skill; but the garrison, being now freed from the other part of the assailants, turned their whole force against Arnold's troops, and, after an obstinate resistance, drove them away from the town with great loss.

The siege is raised.

THE death of Montgomery was more regretted by the Americans, than the repulse from Quebec: during his command, he had displayed such skill and abilities, as proved him to be fit for any military service in which he might be employed. Great in his designs, fertile in resources, skilful in plans, cool and intrepid in action, he commanded the admiration both of those for whom and against whom he fought: an engaging disposition, benevolent affection, and agreeable conversation, rendered him at once beloved and esteemed by all those with whom he conversed; and even those who considered him as the champion of rebellion, bore testimony of his virtues. Colonel Arnold, being thus disappointed in his endeavours against Quebec, resolved nevertheless to continue in the province, and encamped on the heights of Abraham, where he fortified himself, and put his troops in such a situation as to be still formidable. Thus closed the campaign in the northern part of British America, in which the colonists,

colonists, though they did not obtain the whole of their object, yet made great progress; and what was of still greater consequence, displayed such courage, enterprise, and skill, as demonstrated that ministers, in concluding that the provincials would be easily and speedily coërced, had formed their judgment on very erroneous grounds.

Proceedings in the south;

In the southern colonies, though regular hostilities did not begin this year, yet there was the strongest evidence that they were fast approaching. In Virginia, a long course of jealousy, distrust, suspicion, and contention, between the governor and the governed, terminated in open violence. The Virginians, who, before the act of 1774, the votaries of monarchical principles, had been loyal, and much attached to lord Dunmore their governor, were now become as forward as their neighbours in acts of combined resistance. There were, however, many loyalists in the province; and it might have been easier, through their means, by soothing the disaffected, to detach Virginia from the provincial concert, than most of the other colonies. Their governor, however, though a valiant soldier, did not possess all the qualities requisite in such delicate circumstances. He was violent, unaccommodating, and precipitate; he had by no means that dexterity of address which, by placing opposite parties against each other, could mould both to his own purposes. Bold and active in exertion, he was impolitically open in the means which he employed: by abstaining from extremities, he might have amused the votaries of resistance, until he had established concert among the numerous loyalists. He certainly took the most direct, but not the easiest and safest road, and did not arrive at the destined end. Lord Dunmore, at the beginning of the disturbances, had transmitted to the British government an account of the condition of this province. This statement represented the planters as encumbered with debts, for the extrication

of lord Dunmore in Virginia.

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trication from which, they were desirous of rebellion. This account, having by some means become known, added particular resentment against the governor to the general causes which induced the people to oppose the government. Public meetings and military associations were universally encouraged, and the first were very prevalent. His lordship now received the conciliatory propositions from England, which he laid before the council of Virginia: that body acceded to those offers; but the assembly unanimously refused their concurrence, and increased the military establishment. The governor removed from the public magazine at Williamsburgh, a large quantity of gunpowder; and an armed force, commanded by Mr. Henry, a popular leader, attempted to compel a restitution of the powder to its former place: but they were quieted for a time by the agreement of the receiver-general to be responsible for the repayment. Meanwhile intelligence was conveyed to the governor, that some of the enraged planters had formed a design on his life; and, on receiving this information, Dunmore retired with his family on board one of his majesty's ships. Application was made by the assembly for his return, to give his assent to several bills, to replace the gunpowder which he had removed from the magazine, and deposit an additional quantity of military stores for the use of the colony. He answered, that he could not return, unless they dissolved all illegal meetings, refrained from illegal acts, and accepted the terms proposed by parliament. The assembly, receiving this determination, entered the following resolution on their journals: that their rights and privileges had been invaded; that the constitution of the colony was endangered; and that preparations ought to be made accordingly. The assembly having broken up, and the members retired to their country seats, the governor ventured to come on shore, to a farm belonging to him on the river near Williamsburgh, where

where he received intelligence that a party of riflemen were on their march to seize his person; he therefore immediately retreated to boats that waited for him by the bank. The provincial party fired several shot, but at too great a distance to do any material injury. Lord Dunmore, concluding that moderate measures would not answer the purposes of government, resolved to employ very different counsels. The convention of the colony having met, took into consideration the arms, discipline, and pay of the soldiers, and adopted various resolutions, on the model that had been framed by Massachusets Bay and the congress. Finding his province in what he thought a state of rebellion, his lordship determined to act with more rigorous severity: he issued a proclamation, declaring martial law to be in force throughout the colony; and erected the royal standard, to which he commanded his majesty's subjects to repair. More zealous in his intention to promote the interests of his country, than discriminating and moderate in his policy, he projected a scheme of very questionable wisdom;—to allure, by the offer of freedom, negro slaves, of whom there were great numbers in the southern colonies, to embrace the royal cause, by rising against their masters. Even well-wishers to British government censured this proposition, as tending to loosen the bands of society, to destroy domestic security, and instigate savages to the most atrocious barbarities. By putting arms into such hands, the friends as well as the enemies of government would suffer; the negroes neither would nor could distinguish between the well and ill affected, and would involve all the whites within their power in a promiscuous massacre. The Virginians, when this proclamation was issued, were driven to the most furious resentment, and thenceforward set no bounds to their enmity. The project had the same fate with many of the compulsory schemes of government, causing violent irritation, without affording adequate benefit. He had already secured

Scheme of lord Dunmore to excite negro slaves against their masters.

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secured the possession of all the country situated between Norfolk and the sea; when the provincial meeting, in order to prevent the desertion of the slaves, and to arrest the career of the British governor, resolved to send against him a considerable force. About the beginning of November, a detachment, consisting of one thousand loyalists, was dispatched from the western side of Virginia to Norfolk, in the neighbourhood of which they arrived early in December. The river Elizabeth divided them from the town; they attempted to pass it, but were repressed by a strong body of provincials, who were posted on the opposite side. More bold than prudent, Dunmore attempted to dislodge them from their intrenchments, but was repulsed: The English abandoned their position, and their commander, with the loyalists, retired on board the ships.

Connelly's project.

In the back-settlements, many of the Americans, knowing little of the proceedings on the coasts, were strongly attached to the British government. Mr. Connelly, a native of the interior part of Pennsylvania, proposed to lord Dunmore, to invade Virginia, and other southern colonies, with parties of loyalists from the inland country, that he might acquire the co-operation of the Indians, and of the slaves stimulated against their masters. His lordship approved of the design; but Mr. Connelly, having set out to carry it into execution, was seized on his way; and his papers being read, the whole scheme was discovered and overthrown, and Mr. Connelly sent prisoner to Philadelphia.

Maryland. The Carolinas.

Mr. Martin and Lord William Campbell, respectively governors of North and South Carolina, having adopted similar plans of exciting the negroes to insurrection, and calling down the back-settlers, were obliged to leave their governments and retire on board ships of war.

Farther proceedings of the congress.

His majesty having, soon after the battle of Bunker's hill, published a proclamation for suppressing rebellion, and prohibiting correspondence between

between his British subjects and American rebels, the congress, in a counter manifesto, denied the charges, and declared in the name of the people of the united colonies, that punishment inflicted by their enemies upon any person, for favouring, aiding, or abetting the cause of American liberty, should be retaliated in the same kind and degree on the favourers and supporters of ministerial oppression: thus congress, advancing progressively in assumption of authority, now professed to treat the government of Great Britain on a footing of equality. So far were the predictions of ministers from being fulfilled, and their objects effected throughout America, by the civil and military operations of one thousand seven hundred and seventy-five.

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Result of 1775.

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Britain.— Majority favourable to the ministerial system.— Minister's dexterity in managing parliament. — The wisest opposers of war wave the question of right, and argue from expediency. — Not a war of ministers or parliament only, but of the people. — Apprehension of Mr. Sayre for high-treason — inconsistent and defective evidence — the accused is discharged. — Meeting of parliament. — The king's speech. — General view of ministerial and opposition reasonings, motives, and proceedings. — Employment of Hanoverian troops in British garrisons. — Inquiry into the last campaign. — Military members of opposition declare the force inadequate. — Militia bill. — Examination of Mr. Penn, respecting the dispositions and force of the Americans. — His testimony disregarded by the majority in parliament. — Mr. Burke's conciliatory bill, on the constitutional principle of granting taxes only by the people or their representatives — rejected. — Lord North's prohibitory bill — passed into a law. — Different departments of Messrs. Burke and Fox in opposition. — Petition from Nova Scotia. — Discussion of the employment of Irish troops for the service of the king in America. — Mr. Fox's proposed inquiry into the ill-success of his majesty's arms — rejected. — Lord North, desirous of pleasing both parties, satisfies neither. — Supposed not entirely to approve the coërcive system. — Subsidy to German princes. — Last effort of the Duke of Grafton for conciliation. — Ministers assure parliament that another campaign will crush the revolt. — Supplies. — Ways and means. — Scotch militia-bill — rejected. — Session closes.

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1775. Britain.

IN Britain there was a great majority favourable to the ministerial system, who deemed the Americans rebels against lawful authority, traitors, and cowards; and that coërcion, therefore, was both just and expedient; those who vindicated their resistance were termed levellers, Cromwelians, republicans, and enemies to their king and country[a].

[a] In the ministerial newspapers and pamphlets, passim.

Many

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Majority favourable to the ministerial system.

Many persons conceived, as formerly, that the chief object of government was to raise a revenue from America, which would reduce the land-tax. In their estimate they overlooked the probable expence of the contest, and the likelihood that, on a balance of accounts, there would be a great deduction from the revenue to be thus acquired. The loss of the American commerce was not immediately felt to nearly the full extent; considerable remittances had been received before the ports were shut up, especially in corn, which, there being at this season a scarcity in Britain, was a very valuable article. The peace between Russia and Turkey occasioned an unusual demand for goods, so that in some quarters trade was brisker than in former years. The diminution of the American commerce had not yet generally produced its effects, and great numbers of merchants were not hindered from joining in commendation of the ministerial system.

WHATEVER might be the wisdom which lord North exerted in administering the important concerns of the kingdom, he employed great dexterity in managing parliament. He was peculiarly skilful in addressing himself to the opinions, prejudices, and passions of the country gentlemen. Their approbation of the plan for taxing America had proceeded from self-interest overlooking the means of its own promotion; they approved of coërcing the colonies, in order to acquire revenue; and in their eagerness for that object, forgot the probable cost: many other men of property were amused with the same idea; by compelling the provincials to submit, the public burthens would, they thought, be lightened, and *war with America diminish taxes.* It was indeed a war, not of the minister only, nor even of the parliament, but of the nation. Addresses poured in from all quarters, expressing abhorrence of the impious and unnatural rebellion, and the obstinacy and wickedness of the colonists.

A great part of the nation conceive, that war with America will improve the revenue.

If

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If there were abhorrers, however, there were petitioners also: certain merchants felt the discontinuance of intercourse very severely, in the reduction of their trade, and the interruption of their payments; and various addresses were presented to his majesty from commercial and manufacturing towns and bodies; some of these were expressed in very strong terms, but the remonstrance of the city of London far exceeded others in severity.

Distinction of whig and tory revived.

The discussion of the American contest revived the distinction of whigs and tories; some, professing themselves of the former class, exclaimed against the opposers of parliamentary authority, as a deviation from the doctrine and practice of whigs; who, inimical to the extension of kingly prerogative, were the supporters of parliamentary privilege. Others replied, that the essence of whig principles consisted in resisting arbitrary measures, and in supporting the rights of the people, whether they were attacked by one or many. If (said they) parliaments destroy the liberty of subjects in America, they can no longer be supported by whigs: by seizing their property without their own consent, and depriving them of trial by their peers, they take from the colonists the most valuable blessings of liberty. Polemical discussion as usual ran to extremes; the reasoning of the tories favoured despotic power; the arguments of the whigs verged to republicanism. On viewing the reasonings for and against the right of taxation, as they are contained in the parliamentary debates and political treatises of the times, a reader may perceive a very striking difference. The supporters chiefly argued from alleged instances, the opponents from general principles. The promoters pointed out certain cases in which British subjects were taxed without their own consent; whereas their adversaries contended it was a fundamental rule of the British constitution, that no supply should be granted, but by the

people or their delegates; that the exceptions confirmed the principle; and that if certain individuals or classes submitted to be under the exception, others were under no obligation to follow their example. The Americans, said ministers and their advocates, are as much represented as the many inhabitants of Britain who have no vote at the election of members of parliament. To this argument two answers were returned; first, that every Briton is virtually represented, since the laws that bind him, bind also the legislators: secondly, the premises were admitted, that representation is partial and imperfect in Britain, but not the conclusion, that because within this realm many without being represented paid taxes, therefore the Americans were bound to do the same. The wisest and ablest of the anti-ministerialists dwelt less upon the abstract question of taxation by themselves or their representatives essential to constitute a free people; they insisted chiefly on expediency: we had gained much, and might gain more, from the increasing prosperity of the Americans, without taxation; we were losing much, and likely to lose a great deal more, by the attempt to extort a revenue: it was our interest to return to the policy which produced gain, and abandon the counsel which produced loss. Whatever were the arguments against coërcive measures, the balance of numbers was greatly on the side of ministry; and as far as a government is justified in its measures by a conformity to the inclinations of the majority of the governed, so far were ministry justified in their coërcive system: the people might have been misinformed and deluded; acts might have been used by ministerial agents to misrepresent the enemy, and the purposes of hostility; but, if afterwards, taught by experience, the people should change their opinion, and censure those who allured them to the war, ministers could fairly answer, "It is your act: why do you blame us for

The wisest opponents argue less from right than expediency.

Not a war of ministers, of parliament only, but of the people.

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for going on with what your addresses and encouragement induced us to begin?"

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While the nation was generally favourable to ministerial measures, and inimical to the Americans, an incident happened, which concerned a personage dear to every worthy Briton of all parties, and alarmed both the supporters and opponents of government. There was in London a banker of the name of Sayre, an American by birth, and commercially connected with the colonies. A gazette announced, that this gentleman was committed to the Tower for high-treason; and the grounds being unknown, the notification produced a great number of reports, which was eagerly swallowed and spread by public credulity. It was said, that Mr. Sayre had formed a design of seizing the king at noon-day on his way to the house, removing him out of the kingdom, taking possession of the Tower of London, and overturning the present government. To effect these purposes, he had bribed two of the soldiers of the guards, who each engaged to gain a file of privates. This party was to carry their schemes into effect, in the face of all the other soldiers who had not been bribed. The evidence for the charge was Mr. Richardson, adjutant in the guards, who declared on oath that Mr. Sayre had signified to him such intentions. Mr. Sayre admitted, that he had conversed with this man very freely concerning the destructive contest between Great Britain and America, and affirmed that there was not spirit in the country to effect a change of men and measures, but denied that he ever had thought of such a plan, or expressed himself to the purport averred by Mr. Richardson; that if there had been any such plot, the informer should have waited until it was farther advanced; since, if real, he must have been furnished with many corroborating circumstances. It was answered on the part of lord Rochford, who had committed him, that the folly

Apprehension of Sayre for high treason.

Inconsistent and defective evidence.

of

of an imputed design, or of the conduct of its discoverer, is not sufficient to disprove positive evidence; and that whatever degree of credit he gave it in his private opinion, in an official capacity he was obliged to proceed upon the oath of a man whose character had not been impeached. Mr. Sayre was closely confined for five days; but being brought before lord Mansfield at the end of that time, the chief justice saw the inconsistency of the charge, and admitted him to bail, on very slight security to a man of fortune charged with a capital offence? the accused was bound for 500*l.* and two sureties for 250*l.* each. No prosecution was attempted; the bail was discharged. Mr. Sayre sued lord Rochford for illegal imprisonment, and recovered a thousand pounds.

The accused is discharged.

On the 25th of October parliament met for the dispatch of business. His majesty's speech, which was of considerable length, turned chiefly upon American affairs. He had called the houses together to deliberate concerning the colonists. Those who had endeavoured to inflame the Americans by misrepresentation, and by diffusing sentiments repugnant to their constitutional dependence, had at length succeeded in exciting them to revolt and hostility, which manifested themselves not only in preparations for war, but in actual rebellion. The authors of this desperate conspiracy had totally different intentions from the crown and parliament, from which they had hitherto derived signal advantage. The former designed to amuse this country with general professions of loyalty and attachment, while they had really nothing in view but the establishment of an independent empire. We proposed rather to undeceive, than to punish; therefore only small forces were sent, and propositions of a conciliatory nature accompanied the measures that were employed to enforce authority. The rebellious war was now become general; the object was too

Meeting of parliament. The king's speech.

 important,

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important, the spirit of the British nation too high, and the resources with which God had blessed her too numerous, to give up so many colonies, which she had planted with industry, nursed with tenderness, encouraged by many commercial advantages, and protected and defended at much expence of blood and treasure. Wisdom, and ultimately mercy, directed us to employ these resources, for vindicating our rights and honour. He had greatly augmented the army and increased the navy; he had also assurance of succour from some foreign powers, and of general tranquillity from all. His majesty concluded his speech with declaring that he should appoint commissioners to grant pardons to such individuals or colonies as would return to their allegiance.

The address, and debate upon it.

An address was moved, conformable to the speech, in both houses. Ministers insisted, that the proposed system and measures only could be embraced with safety and honour to the British nation. If America should become independent, she would interfere with us in every quarter of the globe in our trade[b], and in every other interest. The preservation of the blessings which were now enjoyed required us to keep America dependent on the mother-country. The reduction of America might be difficult, but our resources were great: we had conquered in many more arduous wars: the spirit of the British nation, when roused, became proportionate to the difficulties and danger: shall we then be told (said the minister) that this people of yesterday, whose strength is the work of our own hands, can resist the powerful efforts of this nation. Coërcion being, in the declared opinion of ministers,

[b] Dr. Adam Smith was at this time of so very different an opinion, that he thought England would gain much more by repealing the navigation act, which established the commercial dependence of America, than by retaining that monopoly. The event has justified the reasonings of that great philosopher: now that our monopoly is over, and that in the American market our sole trust is in the superiority of our commodities, our trade bears a greater proportion to the population and riches of America, than that which we enjoyed when she was fettered by the navigation act.

absolutely

absolutely necessary to our glory and interest, our efforts, according to their predictions, were to be irresistible. In the commons, an amendment was proposed, expressing concern that the means used to allay and suppress the disorders in the colonies, had tended to increase, instead of diminishing, the disturbances; thence it was inferred, that they were ill adapted to their end. Erroneous counsels and inefficacious conduct, manifested in the event, had resulted from the want of full and perfect information of the true state and condition of the colonies. Parliament ought to obtain the most thorough knowledge of facts, and, after considering these, to employ the maturest deliberation that they might discover effectual means for restoring order and tranquillity to the British empire. By an induction of facts, they established their positions, that ministers had either been wrongly informed themselves, or made false reports to parliament. Thus they were either weak in adopting momentous measures on inadequate information, or wicked in concealing that which they possessed. Mr. Fox contended, that affairs were not in the condition ministers represented, and that justified the predictions of opposition. With his usual power of simplification, he brought the question to three heads. First, what ought to have been done: on which proposition, he compressed the principal arguments that had been used by the opponents of government from the commencement of the contest. Secondly, what ministers said would be done: under which division, he refreshed their memories with an account of their high-toned professions and various promises during the same period. Under the third head, what was done: he exhibited a very clear and concise history of ministerial measures, and the actual operations in the transactions of the last two years. The erroneous information on which ministers, in spite of experience, had relied

General view of ministers and opposition: reasonings, motives, and proceedings.

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lied and acted, were the false, partial, and illiberal representations of artful, designing, and interested men, who had held public offices in America. These had proposed to increase their own influence, emoluments, and authority, as well as to find the means of gratifying their petty prejudices and resentments, by extending the power of the crown to the injury of the people; and became at last so soured by opposition and the consequent disappointment of their schemes, that their sentiments were dictated only by malice and revenge. This uniform confidence in the testimony which they had so strong reasons to distrust, was totally inconsistent with just reasoning and policy. The assertion in the speech, that the colonies had aimed at independence, was strongly controverted from the whole and every part of their conduct. It has ever been our inclination to maintain that state of harmony with the parent-country, which has continued from our first establishment to the present time: It is our interest to be subject to the British empire, as long as we are allowed the privileges of other subjects. Taxation without our own consent is a violation of these; therefore we will not be taxed without our own consent. The Americans had not aimed at independence; they had, after long deprecating, at last resisted unconstitutional usurpation. Opposition, aware of the motives by which many of the country gentlemen were induced to support the measures of government, exhorted them to consider the consequences before they supported it farther. They expected that their contributions were to be reduced by war with America, without adverting to the enormous expences which ministerial plans would cause during the very first campaign. Had ministers laid before the house sufficient information to justify such measures? Had they not been themselves groping, and leading others in the dark? Were they always to run blindfolded into

into every destructive measure that was proposed? Would they, without examination and inquiry, still follow counsellors by whom they had been already so completely misled and deceived? Had they considered the difficulties attending the support of an army of 70,000 men on the other side of the Atlantic? Had they calculated how many thousand tons of shipping would be necessary for their conveyance, and for their support; or the expence of supplying these with fresh provisions from Smithfield market, and with vegetables and all other necessaries from London and its neighbourhood? The land-tax must this session be raised to four shillings in the pound, and the most sanguine imagination could not fancy that it would ever again be lowered. Even if we should succeed, would burnt towns, depopulated provinces, reduced agriculture, and destroyed trade, enable the colonies to indemnify our expences? Were these the resources that were to pay our costs; and much more, to diminish the burdens of Britain? Was it not madness to fight for gain of one fund even if attainable, when it could not be compassed without a much greater loss; when we could acquire gain of another, without any contest or expence?[c] Such were the strong and poignant arguments by which provident senators demonstrated, that war with America would not diminish taxes, and that its promoters, as a financial speculation, would find Britain a woful loser on the balance of accounts. But was success certain? The Americans themselves had shewn valour, skill, and unanimity, which rendered the event of the contest at least doubtful, even through the efforts of the colonies alone. Would France and Spain long continue idle spectators of the contest? The ministers talked of pacific assurances, but was there any confidence to be re-

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[c] See Parliamentary Debates on the Address, Oct. 25th, 1775.

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posed in such professions. Political conduct is to be inferred, not from the minute reports of diplomatic intrigue, but from great and comprehensive surveys of history, situation, character, policy, and passion.[d] By considering France in her relations of peace, neutrality, alliance, and war with different powers of Europe, it was evident that her ruling motive was ambition: her avidity was in proportion to the obstacles which she found to her projects of aggression and usurpation: for near a century this country had been indirectly her most formidable opponent by land, and directly her conqueror by sea; Britain was the seat of every confederacy that repressed her ambition, and, in the preceding war, obtained a superiority unprecedented in former contests. France, beholding England with envy, resentment, and terror, rejoiced at an internal contest which would employ great part of the British force, and enable her and her dependent, Spain, to attack their triumphant rival with considerable probability of success. She would wait until the breach was irreparable; but, as soon as she saw the complete separation effected, to which the counsels of the British government was driving the colonies, she would throw off the mask. The Spanish king, particularly ill-disposed towards Britain, indignant at the humiliation of his kingdom by her power, and envious of her prosperity, would sacrifice the peculiar interest of his dominions to his connexion with France, and his own personal animosity to England. Britain would have to contend with her colonies, who were forced to revolt, and the combined power of the house of Bourbon.

Thus while a numerous body of senators supported the measures of administration for subjugating the colonies, and expressed their thorough conviction of the wisdom and efficacy of the ministerial

[d] See speeches of Burke and Fox.

plans

plans and measures, a smaller number endeavoured to prove that both counsels and conduct were unwise, and would be ineffectual and ruinous. The historian who, from the monuments of facts and consequences, would leave a lesson to posterity, must, in recording great undertakings, examine and investigate, not only the views and counsels of their proposers and supporters, but, when their justice or expediency is controverted, he must canvass the grounds on which such opposition rests. If measures, in themselves right and beneficial, meet with powerful obstructions, the reader will be able to see either wisdom and energy exerted in surmounting the obstacles, or folly and timidity in yielding to the difficulties; but if the undertaking be wrong and pernicious, though our opinion of its proposers and supporters be first formed from the project itself, yet it must be materially affected by the means which have been employed to undeceive them concerning its nature and tendency. Whether the ministerial design and measures for subjugating America were wise or foolish, right or wrong, beneficial or injurious, the admonitions of the opposite party have a considerable share in determining their character. Lord Chatham, Messrs. Burke and Fox, advised government rather to conciliate than compel the colonists; the admonition might be founded in misinformation, conjecture, and ignorance of the American character and of human nature. On this hypothesis, the more splendid the eloquence of such opponents, the greater praise is due to lords North, Sandwich, and Germaine, for totally disregarding their counsels. On the other hand, if the exhortations were founded in knowledge, experience, wisdom, or even common prudence, the strong and frequent repetition would enhance the blame of those to whom they were addressed in vain. I have therefore thought it necessary to exhibit this part of parliamentary history

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more fully than most other periods: the circumstances called for very great deliberative wisdom and executorial ability.

Employment of Hanoverian troops.

DESCENDING from the general survey of political principles, plans, and situations, which usually occupies the first meeting of a parliamentary session, to a more minute and detailed consideration of particular questions, opposition severely censured a measure alluded to in his majesty's speech, the introduction of Hanoverian troops into the garrisons of Minorca and Gibraltar; and motions were made in both houses, declaring that the scheme was totally inconsistent with the British constitution, and the bill of rights; that there was no standing army in Britain, but an annual force, subject to the mutiny act, which operated only for a year, and specified the number to be employed. Ministers asserted, that the bill of rights extended its prohibitions only to troops within the kingdom, and therefore did not apply to the present case; that the bill of rights made no difference between English and foreign troops, in its regulations for the direction of military force; and that the measure was justified on the grounds of expediency, from the rebellious state of America. Many arguments were used, and precedents quoted in both houses; but the question was dismissed by the usual majority in favour of ministry.

Inquiry into the late campaign.

IN reviewing the events of the late campaign, some of the supporters of ministers declared themselves dissatisfied with the operations and result, and lord North acknowledged he had been disappointed in his expectations. He had formed his plans the last year, in the belief that the resistance would only be partial, and without apprehending a general concert of revolt. A great force, he now saw, was necessary, and such he proposed should be employed; and accordingly, very early in the season, he introduced the army-estimates for the ensuing year. When these were laid before the house, opposition contended, that

before

before they could judge of the expediency of the proposed establishment, they should receive accounts concerning the number and state of the troops now in America, and made a motion to that effect. To this proposition ministers objected, as unprecedented and inexpedient; it would expose the condition of our army, when the enemy might turn the knowledge of it to their own advantage and our detriment; therefore the motion was negatived, and the house proceeded to consider the estimates. Thirty-eight thousand men were proposed for the sea service, and fifty-five thousand for the land, twenty-five thousand of whom were to be employed in America. Military gentlemen of opposition* insisted, that the supply was inadequate; and that if they must go to war, they ought to send a much more powerful force. Ministers insisted, that the destined army, supported by such a fleet as they were sending, would be sufficient for the purpose. In consequence of a passage in the king's speech concerning the internal defence of the country, a bill was brought into the house, by which his majesty was to have the power of calling out the militia, in case of a rebellion in any part of the empire. The bill was opposed, as changing the idea of a constitutional militia, making it dependent on the crown, and converting it into a regular army. It was represented to be part of the general system for rendering the crown totally independent of the people. Ministers argued, that the regular forces being sent abroad on necessary service, the employment of the militia was the only means of defending the country, without having recourse to foreign troops. The king could not more unequivocally display the confidence he had in the zeal, affection, and loyalty of his people, than by trusting the guardianship of his crown, and person, and go-

Military members of opposition declare the force inadequate.

Militia bill.

* General Conway, and Colonel Barré.

vernment,

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vernment, to the militia of England. By contending that such a power might be abused, the gentlemen of opposition had only stated a possibility, to which every power was liable. Should the servants of the crown misemploy the force so entrusted to his majesty, there were remedies for that as for every other malversation. The law which merely empowered the king, in times of emergency, to call on those to defend the kingdom who are most interested in its welfare, was in itself reasonable and equitable as well as prudent, and it imposed the duty on those who had the strongest motives to discharge it effectually.

Among the opposers of the ministerial system this year was the duke of Grafton, who, since his resignation of the office of prime minister, had been lord privy seal. He had, he said, supported the measures of 1774, from misapprehension of the real state of America; he had been led to believe, by false information and erroneous opinions, that the appearance of coërcive measures was all that was requisite to establish a reconciliation. To real compulsion he had always been inimical, and now that he found it was intended by government, he could no longer support the measures; he was convinced that nothing less than a total repeal of the laws passed since 1763, would restore peace and happiness, and prevent the most destructive consequences. Resigning his office, he was succeeded by lord Dartmouth, who quitted the American secretaryship, and received the privy seal. The American department was now entrusted to lord George Germaine.[t] This nobleman, after his retirement from military life, had devoted himself to political affairs; he was an acute reasoner, and a respectable speaker, distinguished for closeness of argument, precision, and neatness of language. He had

[t] Formerly Sackville; he changed his name for an estate that was bequeathed to him.

been

been principally connected with Mr. Grenville, supported him when he was minister, and followed him into opposition. He had vindicated the supremacy of parliament, voted for the stamp-act, and against its repeal; and had shewn himself extremely inimical to the Grafton administration. From that circumstance, together with his reputed abilities, he was by many deemed the author of Junius. For several years after Mr. Grenville's death, he had continued in opposition; but in 1773, he joined ministry in the East India affairs, and took a decided part in the coërcive measures of 1774 and 1775. Lord Rochford resigning about the same time, was succeeded by lord Weymouth in the southern department.

Examination of Mr. Penn respecting the dispositions and force of the Americans.

A LITTLE before the meeting of parliament, the celebrated Mr. Penn presented to his majesty the petition of congress, and was told that no answer would be given. This affair was repeatedly mentioned in both houses, as affording a ground for conciliation, if properly regarded, and of reproach against ministers for their total neglect of such advances. A copy of the petition having been laid before the house, the duke of Richmond, on the 7th of November, moved that Mr. Penn, whom he saw below the bar, should be examined, in order, he said, that the authenticity of the petition might be established before they proceeded to consider its contents. The ministerial lords were aware, that his grace's object extended far beyond the authenticity of the petition, and that he wished to lay before the house the knowledge which Mr. Penn was so fully qualified to give. It was carried that day, that he should not be examined; but his grace having, on the 10th, pressed it in a different form, the lords in administration consented, on condition that only specified questions should be asked. The substance of this famous evidence was, that the witness did not believe the congress had formed any designs

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designs of independence; the members composing that body had been fairly elected; were men of character, capable of conveying the sense of America; and had actually conveyed the sense of their constituents: the different provinces therefore would be governed by their decisions in all events. The war was begun, and carried on by the colonies, merely in defence of what they thought their liberties: the spirit of resistance was general, and they believed themselves able to defend their freedom against the arms of Britain. Inquiries of a more particular nature respecting Pennsylvania, produced answers which explained the force of that province to be about sixty thousand men able to carry arms, of whom twenty thousand served as volunteers, and that these consisted of men of property and character; they were furnished with the means of casting cannon in great abundance, and had a plentiful supply of small arms. The colonies were dissatisfied with the reception of their former petitions; they trusted greatly to the petition which he carried, and which they styled the OLIVE-BRANCH: in bearing this application, he was considered as the messenger of peace. Were it not to succeed, they would become desperate, and probably form connexions with foreign powers which might not easily be dissolved. The Americans wished for reconciliation with this country, and would acknowledge the supremacy of Britain in every thing except in exacting taxes. Mr. Penn was asked, Whether the secretary of state had made any inquiries concerning America? He answered, That none had been made. [g]

MR. PENN having withdrawn, a motion was made by the duke of Richmond, that the petition from the continental congress to the king, was a ground for a conciliation of the unhappy differences at pre-

[g] Neglect or rejection of all information which did not favour their own views, was one of the chief and most uniform characteristics of lord North's administration.

sent

sent subsisting between Great Britain and America. Besides repeating the arguments which had been so often discussed, he argued, that here was a declaration which demonstrated that the Americans wished for reconcilement, and desired no concession from us derogatory to the honour of the mother-country. On the side of ministry it was contended, that to treat with the congress would be to acknowledge the legality of the assembly and its proceedings; that the petition was an insidious and traiterous attempt to impose upon the king and parliament; and that, while the authors held out smooth language and false professions, they were at the very instant, in their appeals to the people of Great Britain and Ireland, abusing the parliament, denying its authority, and endeavouring to involve the whole empire in rebellion and bloodshed, by inducing their fellow-subjects in these kingdoms to make one common cause with them, in opposition to law and government: the evidence before the house was chargeable with partiality and prejudice, and deserved no regard. After a violent debate, the duke of Richmond's motion was negatived by a majority of eighty-six to thirty-three. On the thirteenth of November, the house of commons having resolved itself into a committee of supply, the minister expatiated on the necessity of reducing the colonies, and expressed a fear that he must apply for the assistance of the landed proprietors, in an additional shilling to the land-tax. Opposition observed, that this was a foretaste to the country gentlemen of the advantages which they would realise from the scheme of taxing America. Lord North now advanced a position, that taxation was only a secondary object, and that the supremacy of Britain was the principal ground of war; on which remark some of his usual supporters began to express dissatisfaction. The dexterous versatility of the minister explained his meaning to be, that the idea of taxation, and of levying a productive revenue from America, was

His testimony is disregarded by a majority in parliament.

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never abandoned, and that ministers merely intended its suspension. The dispute at present was of a much higher nature than it had been originally, and taxation was but an inferior consideration, when the supremacy of the legislative authority of this country was at stake. He would have them therefore perfectly understand, that whatever general terms the ministers might at any time make use of, taxation neither is, nor ever was, out of their view. As a further proof of his sincerity upon this subject, he declared that there were no means by which the legislative authority and commercial control of this country over the colonies could be insured, but by combining them with taxation: the country gentlemen were convinced, and the motion was carried in the affirmative.

Conciliatory motion of Burke.

On the 16th of November, Mr. Burke introduced a new conciliatory bill, in which, instead of expediency, the ground of his arguments in the two preceding sessions, he founded his motion on the right of the subjects of this realm to grant or withhold all taxes, as recognized by the great financial statute passed in the reign of Edward the First, *statutum de tallagio non concedendo.* On this statute, he observed, rested the protection of property from arbitrary invasion, a security which constituted one of the most striking differences between Britain and absolute governments. He demonstrated, that, on account of the immense distance, it was impracticable for the American subjects of Britain to enjoy this privilege by representation in parliament, and that therefore, to be on an equal footing with other British subjects, they should be taxed by their own assemblies. The necessity which occasioned Edward's statute to be framed, was similar to the exigency of the present times; it originated in a dispute between that monarch and his people, relative to taxation. The latter was victorious, and obtained this important privilege, that no taxes should be im-

posed on them without the consent of the parliament. The present bill was intended to procure a similar advantage for the Americans; on this account, waiving the consideration of the question of right, it renounced the exercise of taxation. Great Britain, however, reserved to herself the power of levying commercial duties, which were to be applied to those purposes that the general assembly of each province should deem most salutary and beneficial. The mother-country also reserved to herself the power of assembling the colonies in congress. The bill then proposed to repeal all the laws of which the colonists complained, and to pass an immediate act of amnesty. The principal objections to the bill were, that it conceded too much for Britain, and not near enough to satisfy the Americans. It was also contended that, as a plan of accommodation had been already chalked out in the speech from the throne, it would be disrespectful to the king to adopt any other plan, until that had been tried. The discussion of this bill brought forward the most distinguished orators on both sides; when, on a division, experiencing the usual fate of anti-ministerial propositions, it was negatived by a great majority.

Bill for prohibiting trade and intercourse with America.

On the 20th of November, lord North introduced a bill for prohibiting all trade and intercourse with the thirteen colonies of America. It authorized the commanders of his majesty's ships of war to make prizes of the ships or goods belonging to the Americans, whether found on the high seas or in harbour, and vested the property in the captors. A clause was inserted, by which all Americans, who should be taken on board the vessels belonging to that continent, were made liable to serve indiscriminately, without distinction of persons, as common sailors on board our ships of war, at the discretion of the commanding officer. Such colonists were to be entered upon the ship's books,

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books, and considered as volunteers; and being so entered, were to be set on shore in Great Britain or Ireland, or in any part of America not then in rebellion, and there to be liberated. As this prohibitory bill comprehended every species of the American commerce and employment upon the sea along the coast of the confederated states, all the former acts which affected any particular post, or any branch of commerce, were repealed, in which the Boston port and the fishery bills were included. While all were proscribed who refused unconditional submission, pardon was held out to those who returned to their duty, and commissioners were appointed for inquiring into the merits of individuals or colonies who should accept of the proffered mercy. Opposition displayed its formidable talents in shewing that the proposed law amounted to a declaration of war, and drove the Americans to the alternative of absolute subjugation, or independence; that it would give the finishing blow to the separation of Britain from her colonies, farther ruin our African trade and the West Indies, and arrest remittances from the colonies for the liquidation of their great debts due to British merchants. While thus producing so much mischief to our plantations and mercantile interests, the Americans would be supplied from other markets; Britain would lose a great source of wealth, with little annoyance to the colonies, and to the gain of foreign nations. It was a ridiculous inconsistency to begin with declaring war and confiscating the effects of the Americans, and conclude with some fallacious provisions concerning peace. In defence of the bill, it was said, that the Americans were at war with us; that while hostilities continued, every means must be employed to distress our antagonists, as much as if we were acting against external enemies. Messrs. Wedderburne and Thurlow displayed great ingenuity in supporting these positions, and endeavoured to prove, that

that the inconveniencies felt by the West Indian planters and British merchants were temporary, but that the permanent good would overbalance the evil. Petitions against the bill were presented, and disregarded: it was carried, however, through both houses by a great majority, and passed into a law. While the act was pending, Mr. Hartley proposed a conciliatory bill, similar in principle and object to that of Mr. Burke, though somewhat different in detail; but it met with the same fate.

Different fields of Mr. Burke and Mr. Fox.

THE transcendent genius of Messrs. Burke and Fox, though exercised in every subject that came before parliament, had two different fields on which they respectively displayed their greatest excellence. The legislative plans proposed by opposition, projects of conciliation, and other schemes of deliberative policy, requiring the union of accurate and extensive detail, with confirmed habits of generalization, were most frequently the productions of Mr. Burke. Discussions of executorial plans, and concise inquiries concerning specific measures, requiring also energy of intellect, firmness and decision of temper, but without demanding such a compass of general knowledge, or at least equal habits of philosophic contemplation, came chiefly from Mr. Fox. Mr. Burke, watching over legislation, might be called the lawgiver, and Mr. Fox, over executive measures and conduct, the statesman of opposition. On the 22d of November, Mr. Fox moved for an account to be laid before the house of the expences of the army in America, from August 1773 to August 1775. He said, that from these papers, he could demonstrate the delusion of ministers, and the waste of the public money, to have been astonishing. The expences of the ordnance, in particular, in the year 1775, had been greater than in any of the duke of Marlborough's campaigns. Although every branch of the military service had been amply provided for by the minister's own acknowledgment, and according

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cording to his own appropriation to the respective services, a debt had been incurred in the single department of ordnance, amounting to two hundred and forty thousand pounds. When in a campaign of so little exertion the expenditure had been so great, what was to be expected from the operations of the ensuing year? Ministers opposed this motion, because, they said, several accounts were not received. Mr. Fox obviated their objection, by confining his requisition to the papers which were in their possession; but the ministerial party also controverted this proposition, and from their unwillingness to submit the accounts to the inspection of the house, Mr. Fox was afterwards doubly vigilant in his inquiries concerning public expenditure.

Petition from Nova Scotia.

A PETITION, before the recess, was[h] presented from Nova Scotia to each house of parliament, in consequence of lord North's conciliatory proposition; which by its promoters was intended as a model for the rest of the colonies. It proposed a revenue to be raised among them under the direction of parliament. This doctrine being extremely agreeable to ministry, they gave the petition a very favourable reception, though they knew the amount of the revenue must be very inconsiderable. The proposed mode of taxation was, the payment of a certain proportionable sum on the importation of foreign commodities, but that the rate of the duty should be first fixed by parliament. To this plan it was objected, that the revenue heretofore drawn from the provinces, every part of which, except the tea-duty, had been submitted to, and chiefly paid, was more productive than the new duties proposed in lieu of them would be, in case this regulation was generally adopted; neither did it appear likely, that the opulent colonies should follow the example of a district

[h] See Parliamentary Journals, Dec. 1, 1775.

which

which ever had been a considerable expence to government, and continued to require a yearly grant from parliament for its support. The minister at first supported the petition, and a motion founded upon it passed the committee; but during the discussion, perceiving its inefficacy, he suffered it to be rejected. CHAP. XVI. 1775.

Though the public measures and declarations of ministers expressed a determination to persevere in coërcion and confident assurance of success, yet it is now known[1] that, at the very time of their menacing protestations, they were really oppressed with fear and despondency: they appear, indeed, to have been wavering between the false shame that prevents the abandonment of projects which had been precipitately embraced, and sad forebodings of ultimate failure. Despondency of ministers amidst their threats. 1776.

The first business that engaged the house after the recess, was a measure of the government of Ireland; the lord-lieutenant had sent a written message to the house of commons, requiring, in the king's name, four thousand additional troops from that kingdom for the American service, promising that their expence should not be defrayed on the Irish establishment, and offering to replace them by continental auxiliaries without any expence. The commons of Ireland granted the native forces required; but after a violent debate, leaving the ministerial party in the minority, they refused to admit foreign soldiers.

The message proposing the employment of troops from and in Ireland without being paid by that country, obviously meant that they were to be Discussion of the employment of Irish troops for the ser-

[1] From various sources, and especially from the writings of Gibbon, as we may see by the following extract from a letter, written the 18th of January 1776, during the christmas recess. "I think our meeting will be lively; a spirited minority, and a desponding majority. The higher people are placed, the more gloomy are their countenances, the more melancholy their language. You may call this cowardice; but I fear it rises from their knowledge (a late knowledge) of the difficulty and magnitude of the business."

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paid by Great Britain; and was not without reason considered as an engagement by the crown, to dispose of British public money without the consent or knowledge of the British house of commons.

vice of the king in America.

On the 15th of February 1776, Mr. Thomas Townshend moved, that the lord-lieutenant's message was a breach of the privilege of that house. The arguments by which he supported his motion were, the principles and practice of the British constitution concerning pecuniary grants, and the designs which such attempts intimated; he also mentioned, though only incidentally, the absurd extravagance of paying eight thousand men for the use of four thousand. The ministerial speakers did not all take the same ground: lord North declared, that though his majesty's servants in Britain had a general co-operation with his servants in Ireland, the former did not consider themselves as responsible for the conduct of the latter: he however justified the message on the ground of expediency, without closely discussing the right. Others supporting a higher tone of prerogative, insisted that the king had a right to introduce foreign troops into any part of his dominions whenever he deemed it expedient. Most members of opposition were not very strenuous in support of the motion, because the scheme which it censured had not been put into execution; and it was rejected therefore by a majority greater even than was usual.

Mr. Fox's proposed inquiry into the ill-success of his majesty's arms.

MR. FOX'S proposed inquiry concerning the ordnance, was only prelusive to a more comprehensive scrutiny. On the 2d of February he made a motion to inquire into the cause of the ill-success of his majesty's arms in North America, as also into the causes of the defection of the Canadians. That he might give the greater effect to his present proposition, he avoided every extraneous subject; he would neither (he said) consider the right, the expediency, or the practicability of coercing America,

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rica, but for the sake of argument, admitting them all, would simply inquire whether the measures and proceedings of ministry upon their own principles, had produced the desired and predicted effect: without now discussing the end, he should merely examine the fitness of the means. Beginning with the Boston port bill, as the commencement of determined coërcion, he pursued an historical detail of the ministerial measures down to the present time. If, according to the hypothesis of ministers, coërcion was practicable, either they had not planned efficient measures, and afforded the proper force, or they had intrusted its direction and conduct to incompetent officers: there had somewhere been incapacity, neglect, or misconduct. Whether the rapid extension of disaffection, the successes of the Americans, and the inefficiency of our troops, was owing to unfitness in one class of servants to deliberate and to determine, in another to execute, or to both, parliament ought to be informed: The country had given the minister the means of effectual effort, and had a right to explore the causes of the failure, and to know what ministers or military officers deserved, or did not deserve, farther employment. Ministers themselves, if conscious that no blame was justly imputable to them, were interested in promoting the desired scrutiny: they would rejoice at such an opportunity of vindicating their conduct to the public, and of convincing the people that our present national disgraces, misfortunes, and application of that support which they had so liberally given, were not owing to ministerial ignorance, incapacity, or want of integrity. He concluded with a position, that none wished to avoid inquiry, but those who were either culpable themselves, or wished to screen the culpability of others; an observation, doubtless generally, but not universally, just. Mr. Fox urged these arguments with a force which could not be resisted by reasoning: what they were unable to

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combat, ministers endeavoured to elude. There appeared on the question, as on others before mentioned, a want of coincidence in the arguments of ministry and their friends. Lord North was less decisive in his opposition than many of his supporters, and very evidently showed a disposition to moderation, from which he was often recalled by his more violent co-adjutors; he had rather betrayed than discovered a disposition to conciliate, instead of coërcing, but had been prevented by the abettors of stronger measures. In discussions with opposition, he shewed a similar disposition, rather to palliate than directly to controvert. From the great abilities of his lordship, it may be fairly inferred, that his indecision arose in some degree from doubts about the general wisdom of the plan which he was pursuing. It was by no means probable, that a man of lord North's talents, if thoroughly convinced that what he proposed was unobjectionable, would discover such hesitation. He admitted, that miscarriages had happened, but it was impossible to foresee every event; he was ready to resign his office, whenever the house should withdraw its confidence. Mr. Fox had charged administration with wickedness, ignorance, and neglect; the first, he assured them, was wrong, and the two last remained to be proved. This vague, temporising, and indecisive reply to Mr. Fox's definite charges, if it did not prove, at least afforded grounds for forming an opinion, that lord North himself was not altogether satisfied with the part which he was acting. Others of much less ability were by far more decided in their opposition to an inquiry.

Lord North desirous of satisfying both parties, satisfies neither.

Supposed not satisfied with the coercive system.

Subsidy to German princes.

On the 29th of February, treaties between his majesty and the duke of Brunswic, also the landgrave of Hesse Cassel and the hereditary prince of Hesse Cassel, were laid before parliament. By these agreements four thousand three hundred Brunswic troops and twelve thousand Hessians were

taken

taken into British service. To the duke of Brunswic an annual subsidy was to be paid, of fifteen thousand five hundred and nineteen pounds. For the Hessians a double rate was to be paid, amounting to one hundred and fourteen thousand two hundred and ninety-eight men. The levy money to both princes was seven pounds four shillings and fourpence per head; every man killed was to be charged at the rate of the levy-money. All were to receive the same pay, ordinary and extraordinary, as British troops. The minister contended, that the supply was necessary, and that the terms were fair. Opposition reprobated the measure of hiring foreign mercenaries against British subjects; the motion, however, was carried by a great majority in both houses. The secretary at war having moved for a supply of 845,000*l.* for the extraordinaries of the army, this vast demand incurred in so short a time, and in so confined and inefficacious a service, roused all the vigour of opposition. Neither the campaign of 1704, which by discomfiting France delivered Europe; nor of 1760, which subdued North America; had cost near so much as 1775, which produced nothing but disgrace. Ministers rested their measures on the sanction of parliament; the misfortunes of the last campaign (they said) were owing to their belief that the Americans were not in general so wicked as they had actually proved, and from that conviction we had employed too small an army; but in the present campaign, the force which should be sent would totally reduce the colonies.

Last efforts of the duke of Grafton for conciliation.

On the 14th of March the last attempt was made to prevent war between the parent and the children. The duke of Grafton moved an address to his majesty, intreating, that to put an end to the effusion of blood, and to evince to the world the wish of the sovereign and the parliament to restore peace and tranquillity, he should issue a proclamation,

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clamation, declaring, if the revolted colonies would present to the commander in chief of his majesty's forces in America, or to the commissioners sent out with powers adequate to the purposes of making peace or war, a petition setting forth their grievances, hostilities should be immediately suspended, and the petition referred to the parliament, to be considered with the most solemn and serious attention. The great object of this motion seems to have been, to remedy the defects of the late prohibitory act: which, according to opposition, held out a delusive shew of peace, without furnishing the means, or containing the powers, by which it could be effected. Besides the general arguments which this motion naturally suggested, its mover adduced a declaration of lord George Germaine in the other house, that nothing less than unconditional submission from America would satisfy Britain. To promote the address, his grace farther stated, that intelligence was received by himself that messengers had been sent by France to general Washington and the congress, and argued that this conciliatory proposition would prevent the Americans from seeking the means of defence in foreign assistance. Ministers contended, that conciliation was almost impracticable, and that nothing could more certainly prevent it than concession. An offer to admit them to amity on any other terms than those already proposed, would be a degradation to the honour of the king, the parliament, and the country. The Americans would be reduced in one campaign to accept of the terms which we were pleased to offer: France would not interfere in a dispute between us and our colonies. If she had any such intention, it would be an additional argument for employing our force to subjugate America, before she could be joined by so powerful an auxiliary. We have (they said) passed the Rubicon, and it is no longer time for us to be proposing conciliation. This was the language not of mere parrots

Ministers assure parliament that another campaign will crush the Americans.

parrots of the political creeds that happened to be in vogue for the day, but of many senators of considerable talents and knowledge; some highly distinguished for ability, and one equal to most men that ever appeared in a legislative assembly. A reader, who should know the origin, principles, and history of the American war, without having attended to parliamentary debate and speeches, would learn with surprise, that a most strenuous abettor of coërcive measures, a determined enemy to every plan of a conciliatory spirit, a supporter of unconditional submission, and a prophesier of speedy subjugation, was lord Mansfield. Such powers of argument in cases of momentous importance, drawing conclusions from insufficient information and erroneous principles; such profound wisdom sanctioning the measures, decrees, and acts of misinformation, precipitancy, and violence; afford a striking instance of the weakness which, from the imperfection of human nature, is often intermingled with the most exalted qualities; it teaches the reasoner in drawing his inferences, and the counsellor in forming his schemes, not to place implicit reliance on either the authority or example of even an illustrious sage.

Scotch militia bill

A BILL was this year proposed for establishing a militia in Scotland, which was eagerly patronized by members from that country, but strongly controverted by English senators. In favour of the bill it was argued, that the obvious utility of militia as a national defence, rendered its establishment as proper in Scotland as in England; and that the attachment now evinced by Scotchmen to the family on the throne, removed objections formerly weighty. On the other side it was alleged, that there was neither necessity nor occasion for the proposed scheme. A militia was local, and paid by the landholders for their protection and defence; the Scotch paid one fortieth part only of the land-tax, out of which the militia expences

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expences were paid: the population of Scotland was a fifth of that of England; it was therefore unreasonable in her to apply for a militia, in the maintenance of which her expence would be but one-eighth of her advantage in proportion to England. The answer to this was obvious; that though the specific fund for defraying the militia expences was the land-tax, the protection of that branch of revenue was not its sole purpose, but the defence of every constituent of private and public property and security. After a warm contest, the minister being left in a minority, the bill was rejected.

is rejected.

In providing the ways and means for the current year, a loan of two millions was found necessary. The funds for paying the interest, being taxes on articles of luxury, were favourable to the financial character of the minister. After passing a vote of credit for another million, the session closed on the 23d of May.

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Evacuation of Boston. — British troops sail to Halifax — objects of campaign 1776, three: first, recovery of Canada, and invasion of colonies by the lakes — secondly, expedition to Carolina — thirdly, and chiefly, invasion of New York. — Quebec relieved, and Canada recovered. — British armament under sir Henry Clinton and sir Peter Parker, arrives too late in North Carolina — proceed to the south — siege of Charlestown — raised. — Internal proceedings of the colonies — declaration of independence. — Objects and reasons of the New York expedition — British force arrives there — description of New York and its dependencies — pacificating overtures of the British commanders — rejected. — Battle of Long Island. — Americans defeated, but escape. — Capture of New York — town set on fire by the Americans. — Battle of White Plains. — Americans defeated in one part, but the main body escapes. — Battle and capture of Fort Washington. — General Howe plans detached expeditions — invasion and reduction of Rhode Island — rapid successes of lord Cornwallis in the Jerseys — consternation and flight of the Americans — expect general Howe at Philadelphia — lord Cornwallis ordered into winter-quarters — revival of American spirits from the cessation of pursuit — animated to most extraordinary exertions — their offensive operations — surprise of the Hessians at Trenton, and its important effects. — Operations on the lakes — Crown Point taken, but evacuated. — General result of the campaign. — Depredations of American privateers — encouraged by France and Spain.

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1776. Evacuation of Boston.

THE principal scene of action in which Britain was now engaged, was the American colonies; thither, therefore, the history must call the attention of the reader. Boston, from the preceding summer, had continued in a state of blockade. Gage was returned home, and the command had devolved on general Howe. The British admiral having

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having been displeased with the conduct of Falmouth, a sea port-town in the northern part of Massachusets Bay, cannonaded and destroyed the place; and the provincials being informed of this proceeding, issued out letters of marque and reprisal, declaring, however, it was their intention to confine their hostilities to the capture of ships which should carry stores and provisions to the British army at Boston. Several vessels, laden with necessaries of life, were taken at the very entrance of the harbour; the capture of the coal ships was severely felt, both from the coldness of the winter in that climate, and from that being a harder season than usual. Many of the inhabitants, who were known abettors of the American cause, were still retained as hostages, and all the loyalists who could escape took refuge in Boston; thence there was not only a want of fresh meat, but even of salt provisions. To supply the deficiency of firing, they destroyed several houses, and used the materials; but still the scarcity increased. Aware of the difficulties, Washington prosecuted the siege with a double vigour, in order to take the place before the arrival of reinforcements from Britain. On the 2d of March, a battery was opened on the western side of the town, whence it was dreadfully annoyed by a furious discharge of cannon and bombs; and on the 5th, another acted on the eastern shore. Nevertheless, the British troops acquitted themselves with surprising fortitude, and during fourteen days endured this bombardment with undaunted courage. The besieged had no alternative, but either to dislodge the Americans, or to evacuate the town. The general attempted to attack the enemy, but found they were so strongly posted as to render the assault impracticable. The British must have ascended a perpendicular eminence, on the top of which the Americans had prepared hogsheads chained together

ther in great numbers, and filled with stones[a], to roll down upon the king's troops as they climbed up the hill. Finding that they could not force the works of the American general, and being in the greatest distress for want of provisions, general Howe and the British loyalists embarked for Halifax on the 17th of March, and arrived there in the end of the month. By their departure, the Americans became masters of Boston and a considerable quantity of artillery and stores, which general Howe was obliged to leave behind. Some ships were left in the bay, to protect the vessels which should arrive from England; but, as it afterwards appeared, they were not sufficient to prevent the British transports from falling into the hands of the enemy.

1776. British troops sail for Halifax.

THE objects proposed by the British government in the present campaign were three — to relieve Quebec, recover Canada, and invade the colonies through the lakes — to make an impression on the southern provinces, and to undertake an expedition to New York. During these transactions at Boston, colonel Arnold continued the blockade of Quebec, notwithstanding a very severe season, and under great difficulties; reinforcements arrived very slowly from the congress, and the Canadians were disheartened and wavering; the succours, however at last came, and Quebec being cut off from supplies by land, and the ice in the river not admitting assistance from England, the townsmen and garrison experienced many difficulties. But as the season advanced for the safe navigation of the river, the Americans became more active, that they might anticipate the arrival of the troops from England: they renewed the siege, and erected batteries to burn the shipping. While the besieged were engaged in attending to those operations,

Objects of the campaign.

[a] "This species of preparation, (Mr. Stedman observes,) will exemplify in a striking manner that fertility of expedients which strongly characterized the Americans during the war."

Arnold

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Arnold attempted to storm the town in another quarter, and made his entrance into the suburbs, but could not penetrate farther. Meanwhile, the small-pox, so pestilential in that country where inoculation was not common, broke out in the American army, and frightened many of the soldiers to desert. Although it was now the beginning of May, and the river was far from being clear of ice, an English squadron made its way up to Quebec, and on finding succours arrived, the besiegers retired. On the 9th of May, Carleton proceeded in pursuit of Arnold just as they had begun the retreat. Seeing the troops, they left the artillery and military stores to the British, and thus the siege of Quebec was raised, after continuing about five months. Understanding that a number of sick and wounded provincials were scattered about the woods and villages, the governor issued a proclamation, ordering the proper officers to find out these miserable people, afford them relief and assistance at the public expence, and assure them that, on their recovery, they should have the liberty to return to their respective provinces. In the end of May, several regiments arriving from Ireland and England, together with a regiment from general Howe, and the Brunswic troops, which, when added to those who were before in the province, amounted to thirteen thousand men, Carleton prepared for offensive operations. The general rendezvous was at the three rivers, about half-way between Montreal and Quebec. A body of Americans having attacked the advanced division of the British troops, was repulsed with great loss. General Burgoyne arrived with the reinforcements in Canada, and was sent in pursuit of the provincials. Conscious of their inability to maintain their conquest, the provincials evacuated Montreal, Fort St. John, crossed Lake Champlain, and stationed themselves at Crown Point, whither the British commander did not follow them

Quebec is relieved, and Canada recovered.

them for the present. While the campaign opened thus auspiciously for Britain in the north, attempts were made to re-establish her authority in the south. The governors of the several colonies had represented, that in the middle and southern provinces there was a considerable spirit of loyalty, but that the well-affected were afraid to discover their sentiments; and that if a powerful force were sent from the mother-country to co-operate with them, they would immediately attach themselves to her cause. In consequence of this information, an army was prepared, under the command of sir Henry Clinton and Sir Peter Parker, and ordered to sail to North Carolina, from the loyalists, of which the most sanguine expectations were entertained.

State of affairs in the Carolinas.

Governor Martin of North Carolina, though obliged to take refuge in a ship, had been extremely active in the service of Britain: he maintained a correspondence with the settlers in the back-country, especially with an unruly class of men, known by the name of regulators, who were inimical to orderly government, had formerly been very troublesome to the British establishment, and transferred to the provincials their hostility, since they had acquired the ascendancy. In the same parts, there was a totally different set of men, emigrants from the highlands of Scotland, under the pressure of the most indigent circumstances, who were distinguished for loyalty to their sovereign, and attachment to their native land, which poverty and want had compelled them to abandon. Actuated by such contrary motives to oppose the Americans, these two classes of settlers co-operated and acquired a considerable degree of force. Martin projected to unite with them all the back settlers of the southern colonies, and that the whole should act in conjunction with the king's troops, who were expected early in the spring, and also bring forward the Indians to assist the royal cause. By the desire of Martin, Mr. Macdonald,

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donald, a highland gentleman, of known courage, enterprize, and ability, directed and headed the execution of the scheme: the governor also issued a proclamation, commanding all persons on their allegiance to repair to the royal standard; but it was necessary to embody the loyalists, in order to keep them steady in their intentions; and this step ultimately disconcerted the undertaking. Their hopes of success rested on the concealment of the design, until his majesty's troops should arrive; but the formation of a corps, however, soon reached and alarmed the provincials. General Macdonald proposed to march to Wilmington, and there occupy a secure post, until the British landing should be able to afford them assistance. Informed of these proceedings, Mr. Moore, a provincial gentleman, and colonel of the Carolinians, advanced with a body of troops in quest of Macdonald. The highlander sent Moore a copy of the king's proclamation; in answer to which, the provincial commander transmitted the test to the congress, promising (if they should subscribe it) to treat Macdonald and his party as friends, but denouncing the severest vengeance in case of a refusal. The royalists losing time in negociation, the provincials had leisure to assemble in greater numbers to the standard of colonel Moore. Macdonald proceeding on his march, descried Mr. Caswell, a provincial colonel, who was hastening with a body of colonists to join the general, and found him posted at Moore's creek bridge upon Cape Fear river, not far from Wilmington. The emigrants with great fury began the attack with broad swords; but colonel Macleod, the second in command, and others of their bravest officers being killed, the people, who in the spirit of their native country regarded their leaders as chieftains, were disheartened by the fall of their commanders, and thrown into a confusion which reached the rest of the corps; the whole party was broken

broken and dispersed, and being pursued, many of them were taken prisoners, and among others general Macdonald. Such was the issue of the first enterprize in the southern colonies for supporting the cause of the British government.

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British armament under sir Henry Clinton and sir Peter Parker,

Among the causes which had contributed to the distinguished success of Mr. secretary Pitt's belligerent measures, one of the most efficacious was promptness of preparation. This was a quality extremely deficient in the armaments that were employed during the ministry of lord North, and the forces sent out on an expedition were frequently too late for accomplishing their purpose. The troops destined to co-operate with the loyalists of the south, ought to have left Cork before Christmas, that they might reach Carolina in the beginning of spring, so as to be in the field before the commencement of the great heats that are so injurious to northern constitutions, unless gradually encountered; but they did not depart from Ireland till the 7th of February, and it was the third of May before they arrived at Cape Fear. General Clinton having joined them from Boston took the command; and finding that from the discomfiture of the royalists he could have no hopes of success in North Carolina, resolved to make an attempt upon South Carolina, and to besiege Charlestown its capital. This town was the great support of the warlike preparations in the southern colonies, and on account both of its strength and opulence, would be an important acquisition to Britain.

arrives too late in North Carolina;

proceeds to the south.

The harbour of Charlestown was protected and commanded by a fort upon Sullivan's island, which is formed by the conflux of the rivers Ashley and Cooper, that almost inclose the town; and an inlet of the sea. It was projected to capture that fort, and leaving a sufficient garrison for its defence, to intercept all intercourse between Charlestown and the ocean. Clinton arrived on the 4th of June before

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fore the capital of South Carolina: the American commander Lee, having received accurate intelligence concerning the motion of the British general, by forced marches appeared about the same time in the neighbourhood of Charlestown, and posting himself on the banks of the river, secured a communication with Sullivan's island. Between Clinton and the fort lay Long Island, from which he understood there was a fordable passage to Sullivan's island; he stationed himself on this island, constructed batteries, and prepared for the siege. Having made dispositions for commencing the attack, on the 28th of June he poured a tremendous fire from land-batteries, floating-batteries, and the ships. The British troops behaved with their usual valour, and the Americans displayed great courage and perseverance. Three of our ships having run aground, two of them were extricated; but the third sticking fast, was set on fire, to prevent her from falling into the hands of the enemy. The troops attempted the passage; but found that the water was not one foot in depth, as they had been informed, but near seven feet; under cover however of the fire, they attempted to land, but it soon appeared that there were unexpected difficulties to encounter even if they did land. The information which the general had received concerning the access to the fort, had been extremely inaccurate; there was between it and the shore a trench, in which he had understood that the water was shallow; but, on examination, it was discovered to be extremely deep, and also much more under the command of the castle than the general had supposed: the troops were for the present, therefore, ordered to return to their camp. The next day, dispositions were made for repeating the attempt, and there was a hot fire on both sides, by which two British ships being much damaged, were ordered to retire. The attempt was repeated in a part somewhat shallower than where the first

* The siege of Charlestown,

trial had been made. General Clinton and several other officers waded up to their shoulders, but finding the depth of the water increasing, were unable to proceed; the ships could not approach so near as to do effectual execution, and general Lee was in great force on the other side to defend the forts: for all these reasons, Clinton thought it expedient to desist from the attempt. It was said by military critics, that the British general had not bestowed sufficient pains to investigate the situation and accessibility of the place before he commenced the attack; that his ships might have approached much nearer the fort, and covered the landing of the troops: by political critics it was alleged, that the difficulties arose from the general causes which had been predicted; the determination and force of the Americans, inspired by the love of liberty, and thoroughly acquainted with the nature of the country and posts which they had to defend.

is raised.

Lord Dunmore continued to carry on naval hostilities on the coasts of the southern provinces, but finding he could make no effectual impression, retired to Florida. The Americans, on the other hand, fitting out a squadron from Boston, attacked the Bahama islands, and plundered them of stores and artillery, by which means they brought to their country a supply which was very much wanted. Clinton was summoned by general Howe to meet him at New York, but before we accompany the southern force to its junction with the commander in chief and the main army, it is proper to take a view of the civil proceedings in the colonies, which, both on account of their political importance and influence on military operations, merit and require historical notice.

In the former year, the provincial assembly of New England had passed resolutions, manifesting a disposition to independency; but rather to feel the pulse of the other colonies and of their constituents,

Internal acts of the colonies.

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than to pledge themselves by an explicit proposition. Their delegates in the congress, and the other most violent members, having sounded the rest of the representatives, discovered, that from several colonies there was an aversion to that measure, and that a separation was regarded as one of the greatest of evils, which ought not to be incurred unless absolutely necessary for the preservation of their liberty. Bred up in republicanism, the New Englanders had deemed independence on a crowned head a desirable object; but other colonists, educated with monarchical principles, and attached to the king and people of Great Britain, regarded a connexion between themselves and the parent-country as constituting the supreme advantages of both countries, and separation as only not so bad as slavery. The New Englanders had been winning over the other colonies to their sentiments and principles, with great, but hitherto not complete, success. The congress was becoming more and more subject to the influence of its republican president; but still desirous of peace, it waited with anxiety for the result of its petition to the king, and for the measures which should be adopted in parliament. When it was learned that no attention would be paid to the petition, that nothing short of unconditional submission would satisfy the British government, and that great armaments, including a numerous body of foreign mercenaries, were prepared in order to subjugate America, the greater number of delegates adopted the sentiments which were first generated and afterwards cherished by the New Englanders. On the 30th of May, a prefatory resolution was passed, declaring, that the prohibitory act by which they were excluded from the protection of the crown, the rejection of their petition for redress and reconciliation, with the intended exertion of all the British forces, assisted by foreign mercenaries, for their destruction, depriving the colonies of the king's

king's protection, annihilated their allegiance; that it became now necessary for them to take the power of government into their own hands. It was therefore resolved, "to recommend to the various assemblies and conventions in the united states of America, where no form of government adequate to the exigencies of affairs had yet been adopted, to form such a constitution as should be most conducive to the public welfare and security." CHAP. XVII. 1776.

In the middle and southern provinces, of those who were determined to resist coërcion, there were two parties: the one wished merely to oppose all acts of hostility, but still to leave room for [b] re-union; the other resolved not only to resist, but to outrage the British government. In a state of public ferment, moderation is generally regarded as lukewarmness, and indifference as enmity to the prevailing sentiment. In most of the colonial assemblies, being guided by the advice of the congress, they instructed their delegates to support independence. In Pennsylvania and Maryland [c], the assemblies resolved to oppose this measure; and the amount of their reasoning was — Britain has oppressed, and is attempting to subdue America, it becomes us therefore to resist, but the necessity of resistance does not justify measures injurious to ourselves, and not necessary to render our resistance effectual; we can fight as well without mentioning independence, as after declaring it; we will not actually obey the commands of Britain, while inconsistent with our constitutional rights, but we ought not therefore to preclude the possibility of a reconciliation [d], by a change in the British counsels, which experience of the inefficacy of her plans may in time be expected to produce; meanwhile our efforts shall be as energetic as those of the most zealous votary of inde-

[b] Annual Register, 1776, p. 163.
[c] Andrews, vol. ii. p. 209.
[d] Annual Register, 1776, p. 164.

pendence.

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pendence. The separation from Britain, even if finally attainable, would be productive of great and evident evils. The protection of the parent state, the salutary power of a common sovereign to balance so many separate and possibly discordant provinces, the important political and commercial advantages of the old union appeared in a striking light to every man of discernment, whose mind was not clouded by the passions that overspread the multitude; but no art was spared to make the contrary opinion popular, and no means were more successful than publications which, by enumerating the various acts of alleged oppression, stimulated the hatred and resentment of the children against their parents. Of these works one of the most effectual was an essay of the noted Thomas Paine, written in the style and spirit which he has so frequently exhibited, strong, coarse, and inflammatory. The bold and unqualified intrepidity of assertion passed, with undisciplined understandings, as unanswerable arguments; familiarity of illustration, and vulgarity of allusion, highly pleased unrefined tastes; an appeal to their prejudices and prepossessions gratified their passions, and they concluded that he must be right whose opinions and sentiments agreed with their own. Displaying an ability and skill, the amount of which was that *he could set fire to combustibles*, Paine's address acted powerfully on the populace of Philadelphia, and contributed to inspire them with different sentiments from their provincial assembly and their delegates in the congress. The delegates, however, thought it necessary, on so important a question, to take the sense of their constituents, and after a great contest it was carried that they should be instructed to agree to the determination of congress. Notwithstanding the artifices of demagogues, there still remained in Philadelphia a considerable

* Ramsay, vol. i. p. 336.

body

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body inimical to independence. In Maryland, the delegates were instructed to oppose the question of independence in congress. Having accordingly voted against it, they were driven from the assembly; and, on returning home, they found the violent party gaining ground. A second meeting of constituents was called, and they returned with instructions to vote for independence. On the 4th of July, the congress of delegates from thirteen English colonies in America, declared the provinces a free and independent state. In the declaration, they commenced with observing, that when it becomes necessary for one people to dissolve the political bands[1] which have connected it with another, and to assume among the powers of the earth the separate and equal station to which the laws of nature, of nations, and of God, entitle them, a decent respect to the opinions of mankind requires that they should declare the cause which impels them to the separation. Government being an institution for the happiness of the governed, whenever it becomes destructive of that end, must be dissolved. Having laid down this general rule, they proceeded to enumerate the facts which, in their opinion, proved the British government of our colonies to have been destructive of its end, and comprised in the detail all the acts already mentioned: in every stage of oppression, they alleged, that they humbly petitioned the king for redress, but with no effect. "We have applied also (they said) to our British brethren; we have reminded them of the circumstances of our emigration and settlement; we have appealed to their native justice and magnanimity, and conjured them by the ties of our common kindred to disavow those usurpations which would inevitably interrupt our connexion and correspondence: they have been deaf to the voice of justice and of consanguinity;

Declaration of independence.

[1] See State Papers, July 4th, 1776.

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we must therefore acquiesce in the necessity which denounces our separation, and hold them as we hold the rest of mankind — in war, enemies; in peace, friends." For these reasons, they solemnly published, that they were henceforth free and independent states, and absolved from allegiance to the British crown; that all political connexion between them and Great Britain was and ought to be completely terminated; that they had full power to levy war, conclude peace, contract alliances, establish commerce, and do every other act which belonged to independent states. This celebrated declaration, which separated the colonies from Britain, was received with enthusiastic applause by the people, but by some of the wisest opponents of the mother-country it was not equally relished. General Washington himself, though so strenuous and efficacious a supporter of American resistance to what he conceived oppression and tyranny, never, as far as I can learn, expressed an approbation of the total dissolution of the connexion between the colonies and the mother country[s]. His great and comprehensive mind viewed remote and distant objects; he saw that whatever was the enmity between Bri-

[s] In the original impression, I had written that general Washington *was far from approving of an entire dissolution of the connexion.* That opinion I founded partly on the general wisdom and moderation of that illustrious American, and the enmity which his conduct uniformly exhibited to democratic violence; and partly on a letter for many years imputed to him, and inserted in a publication, which, till very lately, passed for genuine. The work in question is intitled, "Epistles, Domestic, Confidential, and Official, from General Washington;" and was long current, as its contents were probable, and its averments remained uncontradicted. The letter from which I made the citation inserted in a note, pages 344 and 345, of vol. ii. had been, with five others, denied by general Washington, in an American gazette, to be genuine, a short time before his death. This disavowal I did not hear of, till several months after the publication of the work, when Mr. Bleecker, of New York, wrote me, that the Epistles in question were spurious, and referred me to the gazette in which they were disavowed by general Washington. Far from wishing to impute any expression to any character in my history which he did not use, I am desirous of correcting the error respecting that fact; and for that purpose have directed the quotation from the alleged letter to Mr. Lund Washington to be cancelled, and the present explanation substituted in its place.

My general opinion, however, that Washington, so eminent for wisdom and moderation, was an enemy to democratic violence, not resting on one letter, but on the whole tenour of his conduct, continues the same.

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tain and America at present, it must at length terminate. He knew the vast advantages that had accrued, and the greater which might proceed from the renewal of friendly relations between Britain and North America; their language, their respective objects and pursuits fitted them for a reciprocity of benefit, if united, which he did not apprehend they could enjoy if separated. Distinguished as a champion of liberty, he was its champion with the principles and discrimination of a wise man; he loved freedom secured by order, and was a profound admirer of the British constitution: he did not therefore favour the democratical principles which, first spread by the New Englanders, had extended through the colonies; he foresaw that the constitution resulting from independence would be republican, and might, from the influence of democratic zealots, be inconsistent with tranquillity and order. He therefore did not enter into the violence which was manifested by many abettors of independence. Engaged, however, in conducting military affairs, he did not deem himself necessitated publickly to declare every opinion which he might form upon the civil and political proceedings of his countrymen; and without agreeing with every demagogue that could agitate and inflame the populace, he continued to support his country in defending what he thought her liberty; some of her counsels and resolutions might not meet his approbation, but was he therefore to desert her in war and danger; as a patriot, he employed his talents, not only in endeavouring to extricate her from danger and difficulty, but in sacrificing his own particular sentiments for the sake of unanimity and the general welfare.

Writers favourable to the coërcion of America affirm, that independence was long before that period the aim of their leaders; but being able to adduce no testimony or documents in support of their assertion,

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sertion, rest its weight on probable inferences from their conduct. "Hence (says a late historian[1]) their complaints of grievances were clamorous, frequent, and specific, while their professions of attachment and loyalty were merely general, and attended with no precise offers of conciliation or satisfaction." The American statement of grievances, in their petitions to the king, and other representations, were no doubt specific; if they had been vague, they would have been nugatory. Their professions of loyalty and attachment were attended with no precise offers of conciliation or satisfaction, because in their view they were suffering unconstitutional injury, and prayed for constitutional redress; they were reclaiming a right, and not making proposals for a bargain. They did not conceive themselves to have committed injustice against the British government, and therefore made no offers of satisfaction either precise or general. Their propositions of conciliation were simple: they apprehended that the new system of legislature was a violation of their privileges as British subjects, and declared that they would return to amity when, by the discontinuance of the present measures, their constitutional blessings should be restored. How entreaties or even requisitions that their connexion with the mother-country should be replaced on the former footing, demonstrate an intention of entirely dissolving the tie, it is difficult to discover. A farther argument to evince the American desire of independence is, that their demand of redress in the repeal of all the acts since 1763, must be insincere, for it could not be expected to be successful. "No party in Britain could attempt conciliation on such grounds; *because*, thereby they must have abandoned some principle;" the amount of which reasoning is, that if a statesman or lawgiver has proposed or adopted any mea-

[1] Adolphus, vol. ii. p. 171.

sure

sure or regulation, he must adhere to his resolution, that he may preserve his consistency; a doctrine, which, in such fallible beings as men, might often contravene the plainest dictates of justice and wisdom. In the colonial range of complaint, therefore, I can perceive no proofs of determined separation. From the series of acts which the narrative has presented, it appears that the New Englanders, since the commencement of the disputes, manifested dispositions to republicanism, from which we might fairly infer a desire, and even a design of eventual separation; but that the middle and southern colonies were the votaries of loyal and constitutional connexion and subordination; that their co-operation with the colonists of the north, was the immediate effect of the system of 1774; that their subsequent resistance arose from refused redress, and attempted coërcion; and their consent to the scheme of independence, from the total rejection of all their applications, combined with elation for the successes of the former campaign. The independence of America, therefore, whether wise or unwise, evidently proceeded from no preconcerted design, but was a natural consequence of the measures that were pursued by the mother-country, and the progress of human passions, when they refuse the admonitions of reason and wisdom; from disputes to quarrels, repeated with increasing asperity, until they terminated in a final rupture.

Objects and reasons of the expedition to New York.

THE main object of military operations was New York; and for making this part of America the chief seat of war, there were various reasons. The province of New York, running north-west, joins with Canada, that runs south-west, and both together enclose New England, and divide it from the southern colonies. By possessing New York and the southern part of the province, while the Canadian army invaded it on the north, a communication, it was conceived, might be established between the secondary and

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and primary army; both could co-operate vigorously, easily reduce New England, afterwards act in concert against the more southern colonies, and procure the assistance of the back-settlers, many of whom were well disposed to the mother-country. New York was a centrical position, from which operations might be directed either to the one side or the other, as occasion might serve, or circumstances require, so that this position enabled the British commander to prescribe the scene of action, and to quit it when he chose; and if the army were withdrawn from the field, the great north river, and the different channels between the islands and the main land, would enable him, by his ships and detachments, to harass the adjoining countries; while the provincials, however powerful, could make no attempt upon the islands that would not be attended with greater inconveniencies, and liable to imminent danger. Besides these advantages, Long Island was very fertile in wheat and all other corns, abounded with herbs and flocks, and was deemed almost equal alone to the maintenance of an army. In the province, especially in the upper part towards Albany, there were reported to be many loyalists, who would flock to the British standard as soon as they could manifest their sentiments safely. New York, from these circumstances, was an object of high importance, and its attainment was not reckoned difficult; much the better part of the province is enclosed in islands, which being long and narrow, were exposed on all sides to attacks from our fleets, and to the descents of our troops; and when conquered, the protection of the ships of war would be as effectual in their preservation, as their hostility had been in their reduction. These were the reasons on which the military plan was founded, and whatever the sentiments of the reader may be respecting the wisdom of the statesman who proposed, and the lawgivers who adopted the measures which produced enmities

between America and the mother-country, he will probably without hesitation admit, that the plan of military operation was not discreditable to the talents of its author as a war minister. But the history now proceeds to narrate its execution.

British armament arrives at New York.

GENERAL Howe was obliged to remain at Halifax for two months, to receive reinforcements which he expected from England, with a fleet commanded by his brother, lord Howe; the armament from England much exceeded the time that had been planned for its departure from home. The general, therefore, resolved to wait no longer at Halifax, but to proceed southwards, that there might be no delay after lord Howe should reach America. Leaving Halifax on the 11th of June, in the end of the month he arrived in Sandy-hook near New York. During his passage, he was joined by six transports full of Highland troops, belonging to the forty-second and seventy-first regiments; from them he learned that Colonel Campbell with a detachment was separated from the rest of the armament: he afterwards found, that going into Boston, where they expected to have joined the British army, they were taken prisoners by the provincials.

Description of New York and its dependencies.

THE town of New York is situated in an island running from north to south, at the mouth of the Hudson river; at the southern extremity, separated from New York island by a narrow channel, on the east, is Long Island; directly south, in sight, but at a greater distance, is Staten Island; beyond which, and in the same direction, lies Sandy-hook. The Americans having been informed of the destination of the British armament, had been at great pains to fortify New York town and island, and to make the access as difficult as possible, by sinking ships in the most approachable part of the channel; they were also provided with a numerous artillery, and guarded by a strong body of troops. On the northern extremity of New York island, it communicated

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nicated with the continent by a bridge, called King's Bridge. Long Island, from its extent, was not so strongly fortified, yet was well guarded, had an encampment on the side next New York, and also works on the most accessible parts of the coast. Staten Island, being less valuable, was not guarded with equal strength and vigilance: thither, therefore, he proceeded, and landed without opposition: he met with Mr. Tryon, late governor of New York, and other loyalists, who informed him of the disposition of the province, and strength of the enemy. From the accounts which he received of the provincial force, he found that it would be impracticable to commence hostilities until the armament from England should arrive. It was the 14th of July before Lord Howe reached Staten Island: the troops that were conveyed in the fleet consisted of twenty regiments of foot, and a regiment of light dragoons, and also the Hessian auxiliaries: so reinforced, the British army amounted to near thirty thousand men. The commanders possessed high characters, and had distinguished themselves in subordinate stations of trust and importance in the former war. The naval officer had, in the year 1758, on the coast of France, laid the foundation of a fame which was increased during subsequent services: the military gentleman was the distinguished favourite of general Wolfe, led the body which first seized the heights of Abraham[1], and afterwards supported and advanced the estimation in which he was held. It was true, he never had an opportunity of signalizing himself as a general, except at Bunker's hill; and having acted there under the command of another, he merely proved, as before, that he was an active and intrepid soldier: but from his conduct in secondary situations, he was very naturally allowed credit for abilities which could fill

[1] See this History, vol. i. p. 183.

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up the first with equal propriety. From their near relation, no doubt was entertained that there would be the utmost harmony between the general and admiral; and the appointment of lord Howe and sir William to the chief command of the naval and military operations, afforded general satisfaction in England, and the most sanguine expectations were entertained of their success. It must be acknowledged, that their hopes were not without apparently probable grounds. The American army did not exceed twenty thousand[k], raw and undisciplined[l], to oppose thirty thousand veterans. These were unprovided with the various accommodations and even necessaries of a military life, whereas the British forces were abundantly supplied with every article that could be useful in warfare.

Pacific overtures of the British commanders

BESIDES their military powers, the general and admiral were appointed, under the late act of parliament, the commissioners for restoring peace to the colonies, and for granting pardon to such as should deserve the royal mercy. Before they commenced hostile operations, they tried pacific proposals; and their first act was a circular letter from lord Howe to the late governors of the several provinces, acquainting them with the power which was entrusted to his brother, and accompanied with a declaration to the public to a similar effect. His lordship, at the same time, sent a letter to the American general, addressed to George Washington esq. which that commander refused to receive, as it did not describe the rank that he held under the United States[m]. On the 20th of August, general Howe sent his adjutant, general Patterson, with a letter addressed to George Washington, &c. &c. &c. The general re-

[k] See Stedman.

[l] See general Washington's letter to Mr. Lund Washington.

[m] This conduct was highly applauded by the congress, which passed a resolution, directing, that for the future no commander in their service should receive any letters or message from the army which did not acknowledge in the address their official character.

ceived

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ceived them with great politeness, but absolutely declined to accept an official letter without an address naming his office.[n] A conference, however, ensued, in which nothing effectual was done. General Washington said, the power of the commissioners appeared to be no more than to grant pardons: they were only defending what they deemed their indisputable right, had committed no fault, and therefore wanted no pardon. Doctor Franklin had for many years resided in England as agent for the colonies of Massachusets and Pennsylvania; he was lately returned to America, and being a member of the congress, possessed very great influence. Lord Howe addressed a letter to him soon after his arrival at Staten Island; therein stated the nature of his commission, expressed his hopes that America would unite with the British in dispositions for peace, and requested the assistance of Doctor Franklin to effect this purpose. Franklin replied, by informing his lordship, that preparatory to any propositions of amity or peace, it would be required that Britain should acknowledge the independence of America, defray the expences of the war, and indemnify the colonies for burning their towns. A correspondence also took place between lord Howe and lord Drummond, which the latter communicated to general Washington; but it was equally unavailing, the same arguments being used on the side of Britain, met with the same objections on the side of America.

are rejected.

The British forces take the field.

THESE overtures of Britain being unavailing, and the reinforcements being now arrived, the British commanders opened the campaign on the 22d of August, a very late season, especially in a country in which winter sets in soon and severely; but as it evidently arose from the tardiness with which troops

[n] See last note.

arrived

arrived from Europe, the delay was not imputable to the commanders in America. The British forces began with an attempt to reduce Long Island; and a division of four thousand men, crossing from Staten Island, under cover of three frigates and two bomb-ketches, landed there without resistance in Gravesend Bay, adjoining the strait that separates the two islands. The detachment having effected its purpose, the rest of the army without difficulty effected their landing. The Americans were posted near Red Hook, almost opposite to New York, commanded by General Putnam. The road from Gravesend to Red Hook lay across Flat Bush, a woody tract of land, behind which a ridge of hills arise. General Putnam had sent a great body of troops to seize the defiles which led through those eminences. Lord Cornwallis advanced towards the pass, but finding it already seized by the enemy, in conformity to orders which he had received, he refrained from an attack. Major-general Grant commanded the left wing that extended to the coast. The Hessians under general De Heister composing the centre, advanced to Flat Bush, while the commander in chief, with the greater part of the British forces, marched to the right over Flat Land. General Clinton and sir William Erskine having reconnoitred the position of the enemy, and finding also that their attention was chiefly directed towards the Hessians, reported to general Howe, that they thought it would not be difficult to turn the left flank of the provincials, and thereby force them either to hazard a battle, or abandon the hills. Thinking the proposal practicable, the general consented. It was concerted, that to favour the design of the right wing, the attack should be begun by general Grant and the Hessians on the left and centre. Farther to draw off the attention of the enemy from the principal movement, the king's ships stationed to the

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right of them moved towards the town, so as to make them conceive New York to be the immediate object.

On the 26th of August, at nine o'clock in the evening, general Clinton, lord Cornwallis, and lord Percy, advanced with part of the troops, and general Howe himself brought forward the rest of that division. At nine in the morning the British passed the heights; general Clinton turned the left of the enemy, and crossed to Bedford, while Grant and De Heister attacked the right and the centre. On the side of Flat Bush, the Americans made a vigorous resistance; but their left wing, finding itself attacked both in flank and rear, was thrown into confusion, and fled in all directions. The centre and right of the provincials hearing of this total route of the left, suddenly retreated in disorder; about two thousand of the enemy were killed, and one thousand taken prisoners. Among the captured were, generals Sullivan, Udell, and lord Stirling: about three hundred British were killed and wounded. Of the slain were, lieutenant-colonel Grant and sir Alexander Murray, both officers of great merit; the latter a young Scottish [n] baronet of independent fortune, who leaving the comforts of ease and affluence for hardship and danger, earned a premature but glorious death in the service of his king and country. General Washington had been at New York when the engagement began; hearing that a battle had commenced, he hastened over to the assistance of his countrymen; but, when he arrived, he found his troops involved in difficulties by the stratagem of the enemy. On seeing their situation, he did not doubt but they would be entirely destroyed, as he conceived general Howe would certainly attack, and as certainly force, the American lines. Many of the British officers and soldiers were of the same opinion.

The Americans are defeated;

[n] Representative of the family of Balmano in Perthshire.

Confident,

Confident, however, that they must be reduced by regular approaches, without risking the loss that might be sustained by an assault, the general declined the attempt. On the evening of the 27th, the British army opened the entrenchments before the American lines: the provincials finding it impossible to maintain their post in Long Island, on the 29th evacuated their encampment, and general Washington executed the retreat with great ability; his troops were withdrawn from the camp and the different works, and with the baggage, stores, and part of the artillery, were conveyed to the water side; they embarked, and passed over a long ferry to New York with such wonderful silence and order, that the British army did not perceive the least motion, and were surprised in the morning at finding the lines abandoned, and seeing the last of the rear-guard in their boats and out of danger. To do full justice to this masterly retreat, it must be considered that they had been driven to the corner of an island, where they were inclosed in a space of two square miles, with near twenty thousand well-disciplined troops in front; and in the rear, an arm of the sea a mile wide, which could not be crossed but in several embarkations. Notwithstanding these obstacles, the provincials did not lose a single man, and carried off the greater part of their provisions, ammunition, and artillery. Military critics were of opinion, that sir William Howe might have forced their lines on the day of the battle; and, since he chose the more gradual operation of a siege, and must have known that from their reduced force it was their interest to withdraw, he might have divined it to be their wish; therefore, it was to be expected that he would have been so vigilant as to render their retreat impracticable; and such a prevention would have been by no means difficult, because the sea between Red Hook and New York is deep enough for a

but escape.*

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seventy-four gun ship to anchor, and he might have easily stationed frigates which would have commanded the passage, and prevented their escape.[o] The boats which had brought them from New York to Long Island, had lain on the Long Island shore three days after their defeat, in readiness to carry them over to New York. These, it is affirmed, might have been easily destroyed by the British; but they did not experience the smallest annoyance.

POSSESSED of Long Island, the English army had the command of New York, and made preparations for a descent upon the island: two brigades of Hessians and one British being left at Bedford, the rest of the army was posted at Newtown, Hellgate, Bushwick, and Flushing. On the west side of Long Island, opposite to Horan's Hook, where the enemy had thrown up strong works, two batteries were erected.[p] This work commanded Hellgate, a passage between the islands of Buchanan, Montresor, and the Two Brothers, into the sound which separates Long Island from New York and the Connecticut shore. The English batteries, in a short time, not only silenced the fire of the enemy from the work, but broke it up entirely, and rendered it utterly indefensible.

Second overtures for conciliation.

WHILE these preparations were going on, the British commanders again made overtures for peace. General Sullivan was dismissed on his parole, and dispatched to Philadelphia to submit to the congress some propositions, whereby lord Howe expressed a wish to confer with several moderate members, not as deputies from an independent state, but private gentlemen of influence in the colonies, that in these conferences they might adjust preliminaries for an accommodation of differences: he strongly insisted, that this was a favourable crisis,

[o] See Stedman.

[p] Stedman, vol. i. p. 199.

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as neither party were reduced to a state of humiliation, so as to preclude discussion and modification of terms. The congress replied, that they could not send their members to confer with him as private gentlemen, but they would depute a committee to learn whether his lordship was authorized to treat with persons appointed by congress: if that were the case, the committee would receive such proposals; and accordingly doctor Benjamin Franklin, Messrs. John Adams, and Edward Rutledge, were the committee appointed to confer with lord Howe on this subject. Howe still adhered to the contents of the message which he sent by general Sullivan: the committee informed him, that they could not, nor should not, act but as deputies from the congress; nevertheless they were desirous of hearing what proposals he had to make. His lordship told them, that the king and government of Great Britain anxiously wished to finish the dissensions between Britain and the colonies. To accomplish this desirable end, the obnoxious acts should be revised, and every just cause of complaint removed, if America would declare her willingness to submit to the authority of Britain. The committee replied, that an acknowledgement of British superiority could not now be expected: petitions, his lordship must remember, had been presented by the colonies to the king and parliament, but had been disregarded and despised: America had not separated herself from Britain, but Britain from America. The colonies had not declared themselves independent, till the parent country had declared war: the subjects had not renounced allegiance, until the sovereign had withdrawn protection: even were the congress willing to replace America in the situation which she held in 1763, that body was not competent to execute such intentions: independence was declared in consequence of the collective voice of the people, by whom alone it

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could be annulled: but, though the Americans did not desire to return under the dominion of England, they were willing to enter into any treaty which might be advantageous to both. From this answer, lord Howe, seeing that America was determined to persist in independence, put an end to the conference. He soon after published a declaration to the people of America, in which he offered pardon and protection to all who should return to their former submission and obedience; and acquainted them, that it was his majesty's intention to consent to the revisal of such acts as might aggrieve his subjects. The proclamation, however, produced very little effect; the concession was too late, and the sword only could decide the contest.

THE two armies were divided by the East river, about thirteen hundred yards in breadth; and after a long and severe cannonade, it was resolved that the first division of the army should, on the 15th of September enter the island of New York. Accordingly, commanded by general Clinton, lord Cornwallis, major general Vaughan, brigadier general Leslie, and the Hessian colonel Donop, they embarked at the head of Newtown bay, which deeply indents Long Island, and where they were out of sight of the enemy. Being covered by five ships of war, on their entrance into the river they proceeded to Kipp's bay, about three miles north of New York; where, being less expected than in some other places, the preparation for defence was not so great: the works, however, were neither feeble nor destitute of troops, but the fire from the ships was so incessant and so well conducted, that they were soon abandoned, and the army landed without opposition. The enemy immediately abandoned the city of New York, and all their posts on the south part of the island, and retired towards the north, where their strength chiefly lay. The Americans

1776. Capture of New York. The town is set on fire by the Americans.

Americans had resolved, if the English obtained possession of New York, previous to the evacuation to set it on fire; but they were obliged to leave it too quickly to carry their designs into execution. Some incendiaries, however, secreted themselves in deserted houses, and contrived to set fire to the town in several places. On the morning of the 21st of September, about a third part of the town was destroyed; and it was owing to the extraordinary exertion of the soldiers, that the whole was not consumed.

The general had fortified King's Bridge, in order to secure a retreat; and the works on both sides of the passage were so strong, that they appeared to defy all attempts on either. At King's Bridge, ten thousand of the Americans were posted, and six thousand five hundred at Harlem, near New York. The whole force was so advantageously disposed, as to render an attack dangerous from New York. General Howe, finding he could make no impression on them in that quarter, resolved to attack them from another: he proposed to move a great part of his army to the continent behind King's Bridge, in the rear of the enemy, on the side whence they derived their provision; but to retain possession of New York by a strong garrison, protected in front by a chain of redoubts, and in the rear and on both the sides by the fleet. This manœuvre would compel the provincials either to hazard a battle, or be confined in New York island, cut off by the army or fleet from every supply of provisions, the ships guarding the passage from the Jerseys, while the troops possessed the country adjoining King's Bridge. On the 12th of October, general Howe embarked his troops, crossed over to the continent towards Connecticut, and landed on Frog's Neck, near West Chester: here he was obliged to wait five days for stores from Staten Island; and on the 18th, receiving information that Pell's Point

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would be a more convenient place for landing, the British re-embarked, and came ashore at the mouth of Hutchinson's river, whence they advanced up the country. Extending from East Chester to New Rochelle, there are two roads to Connecticut, the lower near the sea, the upper through high grounds called the White Plains. The lower route was, by their last movement, in possession of his majesty's troops; and they now prepared to seize the higher. Meanwhile, general Washington discovered that if he remained in his present position, he would be obliged to hazard a general battle, which might be in its event decisively fatal to the colonies, as there could be no possibility of a retreat. His army was originally inferior in force and discipline to the royal host, and now reduced by recent defeat and sickness, it was still more dispirited: from the same causes, great animosities prevailed between the troops of the northern and southern colonies. As victory was little to be expected in such circumstances, it was Washington's object to avoid a battle if possible; but if an engagement was inevitable, to change his ground, that he might have the greater probability of securing a retreat. Leaving therefore New York island, he posted his army, about seventeen thousand in number, near King's Bridge, and occupied the ground from thence to White Plains, having the river Brunx in front, and detached eight thousand men to occupy the eastern bank; on the 26th, crossing with his whole army, he occupied a very strong position.

On the 28th of October, the royal army, which consisted of thirteen thousand men, leaving its encampment, advanced in two columns; general Clinton commanding the right, general De Heister the left. They found the Americans encamped on a long ridge of hill, on the brow of which they had hastily constructed lines. A bend of the Brunx protected the right flank, and another turning surrounded

rounded the rear of the right wing. The left wing was posted on uneven ground, steep and rugged in front, but affording a secure retreat in the rear. The most accessible part was the centre, the slope of the hill being there gradual, the lines not raised, and the ditches, from the rockiness of the soil and the shortness of the time, necessarily shallow. A body of provincials posted on the other side of the Brunx, commanded a ford opposite to the right flank. General Howe, informed of the position of this detachment, and judging that it was stationed there to cover the right flank, sent a body of troops across the river, with a view to dislodge the enemy from their rising ground, gall the flank which would be thus left defenceless, and thereby facilitate the operations in front of the camp. The troops sent upon that service under general Leslie and colonel Donop, consisting both of British and Hessians, vied with each other in courage and expedition, passed the ford in the face of the enemy's fire, formed on the bank, marched with alacrity and vigour up the hill, charged the enemy with their bayonets, and drove them from their works. General Howe, in the mean time, made no attempt to attack the enemy's lines, or to force their main body to battle. During the night, the provincials drew back their encampment, and thereby strengthened their intrenchments; whereupon the British commander thought it unwise to make a general assault until some fresh troops should arrive from York island. On the 30th, the expected reinforcement came, and the general professed an intention of attacking the camp next morning. A heavy rain having fallen during the night, he judged the ground too slippery on so steep a hill for being attempted, therefore that day the assault was deferred. The succeeding night the provincials evacuated their camp, and retired back into the country; after having in their retreat set fire to all the houses

One part of the American corps is defeated.

The main body escapes.

on

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on White Plains, they took possession of the high ground towards North Castle. General Howe, conceiving the enemy could not be drawn to an engagement, judged it expedient to pursue them no farther, and employed himself in reducing King's Bridge and Fort Washington, that he might be master of the whole of New York island. The last of these posts was very important, as it secured an immediate intercourse with the Jersey shore, and commanded the navigation of the North river. Sensible of the value of this place, the provincials had garrisoned it with three thousand men, commanded by colonel Magaw. On the 15th of November, the fort was summoned to surrender; but the commander answered that he would defend it to the last extremity: it was therefore resolved to attempt a storm. Next morning the royalists made an assault in four divisions; the first, consisting of Hessians, was conducted by general Knyphausen, on the north side of the three others, being British troops; the second was led by general Matthew, supported and covered by lord Cornwallis; the third was conducted by colonel Stirling; and the forty-second regiment, the last, by lord Percy. The Hessians were obliged to pass through a wood, in which the enemy were very advantageously posted; a hot engagement taking place in the ascent of a hill, they made their way through the thicket, and climbed to the top of an eminence. The other division were equally active and successful; the royal highlanders particularly distinguished themselves: before they landed from the continent, they were exposed to a heavy fire from the American batteries; and these continued to play upon them as they were ascending a steep hill. The heroes bore all with firmness and perseverance, gained the summit, and after an obstinate resistance, took one hundred and seventy prisoners: the enemy unable to resist any longer, surrendered at discretion. By the capture

Battle and capture of Fort Washington.

ture of Fort Washington, and the surrender of King's Bridge which followed soon after, the British troops were in possession not only of New York and the adjacent islands, but also of an easy access either to New England or the Jerseys. Thus situated, General Howe planned two expeditions, one under lord Cornwallis to the Jerseys, another under sir Henry Clinton to Rhode Island. General Clinton and sir Peter Parker commanded an expedition to Rhode Island; the provincials abandoned it at their approach, and they took possession of the province, which was deemed a very advantageous acquisition, since it had been a great rendezvous for privateers, that had captured a considerable number of British ships. On the 18th of November, lord Cornwallis crossed over to the Jersey shore with about five thousand men, and landed eight miles above Fort Lee; when they had almost surprised the garrison, and made the enemies prisoners of war; but deserters informing the Americans of the approach of the king's troops, they evacuated the fort with great expedition, leaving to the British their provisions and artillery. His lordship now penetrated into East and West Jersey, and took possession of the principal towns as far as Brunswick. The American troops fled before him in the greatest dismay. In this career of success and pursuit, he was arrested by an order from the commander in chief, to prevent him from advancing farther. From the consternation of the provincial forces in the Jerseys, it was the general opinion of military men, that if lord Cornwallis had been permitted to proceed, he would have taken Philadelphia.

General Howe plans detached expeditions.

Invasion and reduction of Rhode Island.

Rapid success of Cornwallis in the Jerseys.

General Washington commanded the troops in the Jerseys and on the Delaware; Lee was entrusted with a body of forces in the province of New York, and having conceived Washington's situation to be dangerous, resolved to cross the North river, and form a junction with him, as they marched westwards

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Capture of general Lee.

wards towards the Delaware. On the 13th of December he quited his camp, in order to reconnoitre the enemy; in the course of this employment, being about three miles distant from his army, he stopt at a house to breakfast. General Howe had dispatched colonel Harcourt to obtain intelligence concerning general Lee's route and motions. Having traced him as he advanced, he determined still longer to watch his progress. In the course of this service, he intercepted a countryman carrying a letter from general Lee, by which he found where he was; learning also that he was slightly guarded, he projected to carry him off, and galloping with his party to the place where Lee had halted, took effectual means to prevent his escape, forced open the doors, made him a prisoner, and conveyed him to the commander in chief at New York. The Americans severely felt the loss of this general, who possessed great abilities and very extensive knowledge; he had formerly been a lieutenant-colonel in the British service, had served with reputation in the seven years war both in America and Portugal, and was highly esteemed for his military conduct. A restless disposition, and a fortune which enabled him to gratify his inclinations, had induced him after the peace to travel: he traversed most of the continent of Europe, visited the various courts, and was well acquainted with the respective governments, customs, manners, and languages of the several nations. Being disgusted by some persons in the British administration, he, on the first disturbances in America, crossed the Atlantic, and offered his services to the congress. His proposals were received with joy, and he was appointed major-general. By his talents, activity, and skill, he had been eminently useful in disciplining the American troops, and greatly contributed to support the provincial cause. This able man was by no means without his defects; he disbelieved and ridiculed revealed and

and even natural religion, was loose in his moral principles, and profligate in his character: his very efforts in the service of the colonies arose from unworthy motives; because he conceived some ground of displeasure against persons employed under the British government, he made war against his king and native country. There being no British officer of equal rank a prisoner with the Americans, general Washington offered six field officers in exchange for Lee; but general Howe answered, that he was a deserter from the British service, and therefore could not be considered as a prisoner of war. Washington contended, that having resigned his commission before he accepted of a command in the provincial service, the general was not a deserter. Howe adhered to his resolution, and would not release him, but kept him a close prisoner. This rigorous conduct produced retaliation on the other side: colonel Campbell, who had been before treated as befitted his condition, was the first who experienced disagreeable effects, owing to the British treatment of Lee; he was now confined in a dungeon, and the other officers, though not handled with such severity, underwent very great hardships.

Consternation of the Americans.

THE affairs of the provincials appeared now to be in a desperate situation: by the orders of the general to lord Cornwallis, they had been suffered to cross the Delaware; but no doubt was entertained that, as soon as the river was frozen over, not only a detachment, but the whole army under Howe himself, would advance in pursuit of the discomfited and flying enemy, proceed to Philadelphia, and for so important an object, and with such probability of complete success, brave all the hazards and hardships of a winter campaign. The soldiers were quite disheartened; the panic extended itself to the civil departments; the governor, council, assembly and magistracy of New Jersey deserted their province;

They expect General Howe at Philadelphia.

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vince; their brethren of Philadelphia dispersed; and the congress, expecting the speedy arrival of the British army, fled to Maryland. Three of the principal citizens, in the name of the rest, declared their resolution to entreat the protection of general Howe. The chief city of North America, the seat of the new government, appeared ready to submit, if the British army should advance. Alarmed at these dangers, congress did not, however, despair; they proceeded not only to repair their actual losses, but to remove the causes. Their soldiers had only been enlisted for a year; they now ordained that they should be levied for three years, or during the continuance of the war. The army was to consist of eighty-eight battalions, to be furnished and maintained by the respective colonies in a certain proportion, according to the ascertained ability of each. Liberal offers were made of bounties and of pay, as an inducement to men to enlist; and an allotment of lands at the end of the war was promised to all who survived, or to the families of those who fell. They also published an appeal to the American people, to remind them of their assurances of protection and support; they recapitulated the various grievances which they had so often stated, and the rejection of all their applications for redress: nothing but unconditional submission would satisfy their enemies; the only alternatives were resistance or slavery,—which of the two were free-born brave men to choose? The success of the British arms, they alleged, had been greatly exaggerated, and cost very dear. They assured them of the assistance of foreign powers, and exhorted them to firm reliance and resistance; to prepare for a vigorous defence of their liberties, properties, and every object which could be dear to man. The appeal had the desired effect, it revived the spirits of the people, and stimulated the most astonishing efforts to procure reinforcements for the army.

Firmness of the congress.

They appeal to the people.

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With the zeal of the Americans, the wisdom and ability of their general most powerfully co-operated, not without being seconded by some unfortunate circumstances in the army of Britain. To the surprise of both friends and enemies, general Howe did not attempt to prosecute the success of his detachment, but retired into winter-quarters.' He so cantoned his troops that they could not easily be condensed, should a sudden occasion require them to act in concert; bodies of Hessians were quartered at Trenton and Bordenton, near the Delaware, and from knowing the reduced situation of the enemy, had given way to great laxity of discipline. Without being restrained by their officers, or by the commander in chief, they ravaged, plundered, and in short exercised every cruelty which could be expected from mercenary hirelings, who fought without sentiment or principle, merely as the instruments of a petty tyrant whose ways and means were the blood of his subjects. They revelled in the proceeds of rapine, and gave way to excesses so natural to men, who by indigence are usually debarred from the comforts of life, when they happen to obtain temporary abundance. New Jersey became a scene of robbery, disorder, and licentiousness. The Americans, while they dreaded the force, and abhorred the cruelties of Hessians, contemned their slavish submission to the most sordid despotism. Washington, perfectly informed of the Hessian laxity, projected to surprise their detachments at Trenton, and knowing the detestation and resentment with which his countrymen regarded men whom they considered as hirelings, purchased to butcher those who had done them no injury, encouraged them with the hopes of punishing those hated enemies before they should be aware of their danger. In order to prevent the division at Bordenton from affording any assistance to their countrymen at Trenton, he dispatched a body of four hundred and fifty militia very lightly

Howe retires into winter-quarters.

The Americans are animated to offensive operations.

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lightly accoutred and armed to Mount Holly, in sight of the Hessian post, with orders not to fight, but to fly as soon as they had provoked their enemies to advance, and draw them to as great a distance as possible. The stratagem was successful: colonel Donop, who commanded that cantonment of Hessians, with the whole of his party, except eighty men left at the quarters, had proceeded twelve miles from his own station, and eighteen from Trenton. General Washington discerned that his absence was the fit moment for enterprise, and embraced the opportunity. He passed the Delaware, already almost frozen over, by forcing the boats through the ice, during the night after Christmas; and by day-break on the 26th, surrounded the Hessian cantonment. The Germans were thrown into the greatest astonishment and confusion, and before they could be called to arms, Washington galled them with a heavy fire. Rhalle, the Hessian commander, assembled a considerable number of his troops, and was beginning to charge the enemy with great courage, when he received a mortal wound, on which his soldiers refused to continue the battle, and surrendered themselves prisoners of war. The number of killed and wounded was considerable, but the prisoners amounted to nearly a thousand. This success proved very advantageous to the American cause, as it revived the spirits of the soldiers, and cooperated with the address of the congress, to encourage and stimulate the people. The Americans had particularly dreaded the Hessians, on account of their known warlike discipline; but from seeing so many of them taken prisoners, their fears greatly decreased. The general and congress, with great judgment, paraded the prisoners through the streets of Philadelphia and other populous places, and thus promoted in the people a disposition to enlist. Notwithstanding this advantage, general Washing-

Surprise the Hessians at Trenton.

Conquest and effects of this success.

ton did not choose to encamp on the east side of the Delaware; he had not the smallest doubt that with such a superior force as he possessed, general Howe would re-occupy the posts in Jersey, and even cross the Delaware. Instead, however, of attempting to regain the position which was thus lost, the general directed colonel Donop to abandon his situation, and retire to Prince's Town. Washington, encouraged by movements so very different from what he apprehended, again crossed the river, and marched to Trenton at the head of four thousand men. It was now believed that general Howe would have taken the field immediately, but these expectations proved unfounded. Instead of marching with the main army, he sent lord Cornwallis to take command of the detachment in Jersey, while he himself remained quiet at New York. Lord Cornwallis no sooner arrived, than he marched to attack the enemy at Trenton. General Washington's object was to fatigue, harass, and distress the king's troops, without hazarding a battle. On the approach of the British detachment, therefore, he retired from the town, posted himself on some high grounds in the neighbourhood, and there seemed resolved to wait the assault of the enemy. Lord Cornwallis determined to force the post of the enemy; but the next morning Washington, leaving his fires burning, and picquets advanced, retreated in profound silence; and taking a circuitous route, marched with a design to surprise a British detachment at Prince's Town, consisting of the seventeenth, fortieth, and fifty-fifth regiments, under lieutenant-colonel Mawhood. This corps was preparing to follow lord Cornwallis, when Washington made his appearance, about sun-rise. Mawhood immediately concluded that the American general was retreating from lord Cornwallis, and that by obstructing his march he might afford the British troops from Trenton time to arrive. A foggy morning,

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1776. Gallant action of Mawhood.

ing, and thick woods, prevented him from discovering the number of the enemy: under these mistakes he resolved to hazard an action; the fortieth regiment, which had not been included in the orders to march, was behind at Prince's Town; and to that corps he sent immediate orders to join his party. Meanwhile the battle began, and a heavy discharge of British artillery did considerable execution; the seventeenth regiment rushed forwards with fixed bayonets, and a dreadful slaughter ensued. The fifty-fifth and fortieth were not sufficiently advanced to support their fellow soldiers. Several, by their ardour, severed from the rest of the detachment; the seventeenth, notwithstanding the great superiority of numbers, cut their way through the enemy, and retreated to Brunswick, with a loss of near one half of their number. The exploit of the seventeenth, just recorded, was considered as one of the most gallant atchievements during the war. The field officers being all absent, captain Scott, who led the regiment, received just and very high applause for his conduct: the loss of the Americans, from the valour of that corps, was very considerable. Lord Cornwallis, discovering the retreat of the enemy, hastened to pursue them; but Washington, though he kept so near the British troops as to give them full employment, did not hazard an engagement. The troops of Cornwallis being broken with the toilsome warfare, he was obliged to retire to Brunswick to refresh his corps, and wait for the arrival of assistance from the commander in chief. Washington, meanwhile, over-ran Jersey, seized the principal towns, and secured the posts on the Delaware, by which means he commanded an easy passage for himself whenever it should be expedient to re-cross that river.

THE conduct and event of these winter operations proved very different from what the friends of Britain expected, and the provincials apprehended.

hended. It was conceived, that the general would have acted at the head of his whole combined army, instead of remaining unemployed himself, and parcelling his troops out in a great number of detachments. If, instead of preserving his force concentrated, and pressing forward on the enemy with its whole impulse, they must be spread into such a number of cantonments, it was thought the posts next to the enemy ought to have been the strongest, whereas they were the weakest. The Americans, with reason, dreaded that they would be overwhelmed by the British army, directed by the conduct, and encouraged by the example of its commander in chief to activity and enterprise; but they found they had only to contend with partial detachments, while the main force and the general himself were stationary and inactive. The army of Washington did not amount to seven thousand militia, the army of general Howe to twenty-eight thousand disciplined troops: during six months, from the middle of this winter to the middle of the following summer, Washington remained upon the Delaware, within thirty miles of the British headquarters, without any attempts to dislodge him from his posts, or to proceed to the great object of the war.

Operations on the lakes.

THE plan of the campaign under general Carleton was, as we have seen, to drive the enemy from Canada, and afterwards proceed by the lakes to the north-western parts of the province of New York, that he might co-operate with the main army, and have it in his power to invade either the northern or middle colonies, as occasion might require; that thus they could separate the southern from the northern provinces, inclose New York between the two armies, and thereby compel those provincials to surrender at discretion. We left the British generals at the capture of Fort St. John's in the end of June; there an armament was pre-

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pared for crossing lake Champlain, in order to besiege Crown Point, and Ticonderago. The Americans had a considerable fleet on lake Champlain, whereas the British had not a single vessel. It was necessary, in order to gain a superiority, to prepare thirty fishing-sloops, and to equip them with cannon. The general used every effort to procure the requisite naval force: the largest of the vessels were brought from England, and were afterwards obliged to be taken in pieces and reconstructed, in order to answer their purpose upon the lake. It was necessary also to transport over land, and drag up the rapid current of St. Therese and St. John's, with thirty long-boats, a great number of flat-boats of great burden, a gondola weighing thirty tons, and about four hundred batteaux. Notwithstanding the difficulty of the undertaking, and the complexity of the labour and impediments, such was the ardour and activity of the British troops, that it was finished in three months. By this time, however, the season was far advanced; not only lake Champlain and lake George were to be encountered, and an unknown force on each subdued, and Crown Point and Ticonderago captured; but, after these difficulties were overcome, a wild and desolate country covered with intricate forests, indented with swamps and morasses, was to be pervaded, in order to arrive at Albany, and open a communication with general Howe. October was begun before the fleet was ready to oppose the Americans on lake Champlain: the naval force consisted of the Inflexible, which was reconstructed at St. John's in twenty-eight days, and mounted eighteen twelve-pounders; one schooner mounting fourteen, and another twelve six-pounders; a flat-bottomed batteaux, carrying six twenty-four, and the same number of twelve-pounders, besides howitzers; and a gondola, with seven nine-pounders: twenty gun-boats, carrying either field-pieces or howitzers,

howitzers, were furnished in the same manner. There was besides a great number of large boats for transporting the troops, provisions, stores, and other necessaries.[q] The American force was by no means equal to the British: they had made the most skilful use of their materials, but they wanted timber and artillery: their fleet amounted to fifteen vessels, commanded by Arnold. On the 11th of October, the British fleet, conducted by captain Pringle, and under the general direction of Carleton, discovered the armament of the enemy posted to defend the passage between the island of Valicour and the western main. An engagement commenced, and continued on both sides for several hours with great intrepidity: the unfavourableness of the wind prevented the chief ships of the British from taking a share in the fight. Night approaching, it was thought prudent to discontinue the action; they were accordingly withdrawn, but not before the strongest of the enemy's ships was run a-ground, and one of their gondolas sunk. Arnold, sensible of the insufficiency of his strength, retreated during the night: the British fleet pursued them the next day, and the day following; and the wind being favourable for bringing all the ships into action, overtook them a few leagues from Crown Point. The American commander, unable to avoid an engagement, made the best disposition which his force permitted: about noon the battle began, and continued with great fury for two hours: but at length the superior force and skill of the British prevailed. The provincials burnt several of the ships, to prevent them falling into the hands of the English. On the 15th of October the British fleet anchored off Crown Point, and the enemy retired to Ticonderago. General Carleton remained at Crown Point till the 3d of November; and as the winter was commencing, he did not think it advisable to besiege

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Crown Point is taken,

[q] See Gazettes.

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besiege Ticonderago. Some of his officers wished the attempt to have been made immediately on his arrival at Crown Point. The distance was only fifteen miles, and the garrison, they conceived, would not hold out ten days against the British force. General Carleton, however, thought the capture of that place might be attended with considerable loss, while the benefit arising from it would be immaterial during the current campaign, because so late in the season they could not think of entering upon lake George, and proceeding to Albany. From the difficulty of subsistence, a garrison could not easily be maintained during the winter; and thus, though taken, it would be necessary to evacuate it again, and leave it to the enemy. Though these arguments did not convince the other officers, yet they determined general Carleton to re-embark the army, and return to St John's; whence he distributed his army into winter-quarters.

but evacuated.

General result of the campaign.

THUS of the three great objects of the campaign of 1776, the southern expedition totally failed, and the other two were but partially obtained. The Canadian armament atchieved only the reduction of Crown Point: general Howe acquired possession of Long Island, and New York, with part of the Jerseys. His operations had very little impaired the resources of the enemy; on the other hand, by allowing them to gain unexpected advantages, he had animated hope, inspirited courage, promoted firmness and unanimity, and afforded them a fair prospect of ultimate success.

Depredations of American privateers.

DURING this year the American privateers were extremely active and successful. The West India islands, as had been predicted, were in great distress by the interclusion of commerce with America. The most essential necessaries of life, especially Indian corn, the principal food of the negroes and of the poor and laborious whites, had risen from three to four times the customary price. Slaves,

next

next in importance and necessity, were not to be procured in sufficient quantity for any sum; and other wants and distresses multiplied. In this period of calamity, a conspiracy was formed for an insurrection of negroes in Jamaica, most of the soldiers having been drafted to America. One hundred and twenty sail of merchantmen were about to depart for Europe, and the conspirators had fixed on their departure as the proper time for carrying the plot into execution, as the island would then be still more defenceless. The conspiracy was brought to light a few days before the fleet actually sailed, and the ships were retained until it was effectually crushed, and order restored. This detention was afterwards attended with very ruinous effects. The American privateers had, during the former part of the summer, been very active and successful; and as the increase of captures enlarged the capitals of the adventurers for more distant enterprises, they extended the scene of their depredations. A considerable part of this rich fleet fell into the hands of the provincials; and, encouraged by such an acquisition, they afterwards sent cruizers to the West Indies, which captured many other ships. The planters and merchants were almost ruined by the complicated evils that resulted to them from the war. The merchants who had traded to America, continued to be great sufferers, not only by the loss of trade, but by the detention of their property, which was no longer remitted. Towards the end of the year, American ships infested the coasts of Europe, and seizing the British traders, distressed other merchants. The provincial privateers found refuge, protection, and encouragement from France, notwithstanding the professions of amity.

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British nation still favourable to coërcive measures—various causes of this disposition.—Conspiracy and trial of John the Painter.—Meeting of parliament.—King's speech—debate.—Motion for a revision of acts obnoxious to the Americans, in conformity to general Howe's proclamation—rejected—secession of members.—Letters of marque, &c.—Reprisal bill.—Bill for seizing suspected persons; in which Lord North, wishing to please both parties, satisfies neither.—Important amendments, through Mr. Dunning, passed.—Affairs of India—nabob of Arcot, council of Madras, and rajah of Tanjore.—Lord Pigot sent out—conspiracy against him, executed by colonel Stuart—proceedings thereon in the India-house—in parliament—seceding members return—lord Chatham's motion for terminating the war—rejected—difference of opinion among opposition concerning American independence.—Unexpected demand from Hesse Cassel.—Prorogation of parliament.

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1776. The nation is still favourable to the war.

DESTRUCTIVE as the manifold losses which we have been relating were to the mercantile interest, yet the nation in general continued favourable to the war. The declaration of independence separated from the cause of the Americans persons who had before regarded them as oppressed and suffering fellow-subjects: these now contended that the question no longer was, "Have our brethren been well or ill-treated? but shall we not reduce our declared enemies? as long as they acknowledged themselves subjects of the British constitution, we wished them to enjoy all the rights and privileges which our excellent polity confers and secures; but now they have renounced connexion, and declared hostility to this country, we, as Britons, must oppose the enemies of Britain." By this species of reasoning, extended farther than the subject

Various causes of this disposition.

subject of the analogy justified, they inferred, that the parental authority extended to the control of the property eventually acquired by the children through their own ability, industry, and skill. The asserted ingratitude they enhanced, by alleging, that the preceding war was commenced and carried on for the sake of these colonies, and that they were debtors to us for all those efforts by which we had vanquished the enemy, and secured our American settlements. No arguments were more frequently repeated by the censurers of American resistance, than this charge of ingratitude; the weight of which so obviously depends, not on the benefit conferred, but on the motives for rendering the service. The hostilities that commenced in 1755, arose on one side from a determination to prevent France from being aggrandized at our expence, and to repress encroachments upon colonies which were so beneficial to Britain. The consideration of filial duty led to parental dignity as well as claims; zeal for the maintenance of British authority and supremacy induced many a loyal and patriotic subject to reprobate the Americans; and not doubting that our demands were founded in right, and conducive to honour, they did not examine whether this assertion of our alleged rights would not be overbalanced by the expence and danger of the contest; and in spite of the experience which they had already received in the course of two very costly years, still regarded the reduction of the colonies as a *profitable* object. The ministerial system, they conceived, would greatly diminish our national burthens: on a balance of accounts, we should find ourselves gainers by the war; besides those who from public motives approved of the contest, there were not wanting men who supported it from private interest; the certainty, or believed probability, of acquiring lucrative contracts, or other profits from the war, which they could not expect in peace.

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peace. The multitude were, as usual, directed by authority: the greater number of peers, and of the principal gentry, were staunch supporters of the ministry; and, in addition to their immediate dependents connected with them by the ties of interest, there were many more who, either from attachment, admiration of rank and fortune, or vanity, were influenced by their opinions, followed their example, praised the measures and conduct of ministry, and reviled the Americans and the British opponents of administration. Great numbers felt resentment and indignation at the ingratitude and insolence which they imputed to the colonists, for resisting such reasonable demands of their benefactors, under whose fostering care they had been reared to their present strength: they formed analogies from the returns incumbent in filial duty for parental affection, and support bestowed in the days of inability to provide for themselves. From these various causes, and probably others, a large majority of the people of all ranks at this time approved of the American war throughout the nation. Those who still continued to censure the compulsory system that had been adopted towards the colonies, if far less numerous, were by no means deficient in respectability; among these, besides the partisans of parliamentary opposition, were some of the chief gentlemen and a great number of the smaller landholders in English counties; a considerable portion of independent merchants, who neither possessed nor expected contracts from government, and found commerce injured by the war; manufacturers in similar circumstances; protestant dissenters, the ardent friends of civil and religious liberty, who carried their zeal perhaps farther than was consistent with order; the ablest of English counsellors who held no office under government, but who, relying on personal efforts, and having no motives to be expectants of donatives,

donatives, free and independent by their talents, were the friends of constitutional liberty. Literary men did not then constitute so numerous a class as they have since become: lord North, a scholar and a man of taste, was a friend to literature, and some of the ablest writers, and many of subordinate rank, were patronized by the court; though individuals of superior celebrity were adverse to the measures of government, yet authors, as a body, could not be said to be hostile to a ministry which held genius and learning in high estimation. The clergy of England were in general friendly to administration: of the Scottish church, except a few, by office, sinecure, or pension, connected with government, the men of most ability and influence were inimical to the stamp act, and all the subsequent proceedings of the compulsory system; and though they did not justify the wisdom of the American declaration of independence, yet imputed it to the united rashness, violence, and weakness of the British cabinet. From continued contrariety of sentiment, a general virulence prevailed between the supporters and censurers of the ministerial system; and to the charge of erroneous reasoning, the parties very often reciprocally added the accusation of corrupt and even flagitious motives, by which there is no evidence, and little probability, that the greater number of either side were actuated. An incident which happened about this time caused very great alarm through the kingdom, produced very contrary constructions from the opposite parties, and from both, as far as we have any evidence, interpretations very different from the truth.

Conspiracy and trial of John the Painter.

NEAR the close of this year, the rope-house at Portsmouth was set on fire, and the perpetrator, when discovered, exhibited a singular instance of human depravity: this was James Aitken, destined to immortal infamy under the name of John the Painter. According to his own confession, this man,

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man, though only four-and-twenty years of age, had committed a surprising number and variety of atrocious acts, with a secrecy which long escaped detection, with a perseverance which manifested a firmness and constancy of enormity rarely to be found in the annals of crimes, and with a machination that displayed a very considerable portion of ingenuity. Totally unsocial in his villany, he by solitary guilt precluded an usual source of impeachment in the confession of accomplices, and at last incurred by circumstantial evidence the long-merited punishment which from his insolated wickedness no direct testimony could sanction. Aitken was born in Edinburgh, and bred a painter; of a melancholy temper, a gloomy disposition, and ardent passions, he had a strong propensity to vice, and sought his own sole gratification. Having no pleasure in the converse of other men, he found no charms in convivial profligacy and associated turpitude. Very early in life he had been seized with a desire of wandering, and exploring in other countries the means and opportunities of wickedness. About three years before this time he had betaken himself to America, where he had imbibed a mortal antipathy to his country, and formed the extravagant design of subverting the government, and destroying the nation which he so much abhorred. He projected to annihilate the maritime force of England, as well as her internal riches and strength, by burning the royal dock-yards, the principal trading cities and towns, with their respective shipping. He traversed the kingdom to discover the state and accessibility of the several docks, and found them in general not rigidly guarded: he took great pains to construct fire-works, machines, and combustibles: he attempted the great hemp-house at Portsmouth, but failed: he succeeded in setting fire to the rope-house, and having immediately set off for London, from Portsdown-hill feasted his diabolical malignity

malignity with contemplating the dreadful conflagration, which from its prodigious appearance he imagined to have extended to all the docks, magazines, and buildings. He made similar attempts at Plymouth and at Bristol, but fortunately without success. In pervading the country to execute his designs, he committed robberies, burglaries, and rapes. At last, some intimation of his conduct, with a description of his person, reached the chief police magistrate, sir John Fielding, and he was apprehended for a burglary. No evidence appearing to establish the charge, he was on the point of being dismissed, when some circumstances excited a suspicion against him as an incendiary: being examined by the privy council and the lords of the admiralty, he behaved with great caution and presence of mind, and baffled all their attempts to discover the truth. At last, another painter sent to him in confinement, insinuated himself into his confidence, and procured an acknowledgement of designs and acts which proved eventually a clue to the whole labyrinth of his guilt. He was tried at Portsmouth, and the chain of circumstances being so strong as to prevent the possibility of doubt, though he himself displayed great ingenuity, acuteness, and dexterity, in rebutting obvious inferences, the jury, without leaving the court, adjudged him guilty. Finding death inevitable, he made a full confession of his manifold iniquities, and acknowledged the justness of his condemnation. In detailing his own acts, he asserted that going to Paris, he had informed Mr. Silas Dean, an agent from America, of his project to burn the English docks, and had been promised a great reward if he should execute his attempts.

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The facts and circumstances brought to light by or through this miscreant gave full scope to the rage and virulence of both parties. Supporters of the ministerial system attributed the acts of Aitken to

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to the instigation of American and republican partisans within the kingdom; their opponents, no less bigotted, considered the alleged discoveries as the inventions or exaggerations of tories, in order to bring whigs and liberty into discredit. There was not the smallest shadow of probability that either party was concerned with John the Painter, or was any farther to blame than for credulity and illiberal comments. Various hypotheses, however, respecting this despicable person, constituted the principal subject of discussion, declamation, and invective, to the inferior adherents both of ministers and opposition for several months; so readily do the zealous votaries of party believe improbable stories, and adopt absurd opinions, when agreeable to their favourite notions.

Meeting of Parliament. The king's speech.

On the 31st of October parliament assembled. His majesty's speech informed them, that so daring and desperate was now the spirit of American leaders, whose object had always been dominion and power, that they had openly renounced all allegiance to the crown, and all political connexion with the country, rejected with indignity and insult our offers of conciliation, and had presumed to set up their rebellious confederacies as independent communities. Were American treason suffered to take root, it would prove pernicious to the loyal colonies, to the commerce and political interests of the kingdom, and to the present system of all Europe. One advantage to be expected from the open avowal of this object, would be at home the general prevalence of unanimity, and a conviction that the measures pursued by government were necessary. The events of the campaign afforded the strongest hopes of ultimate success; but the delays unavoidable in commencing operations, prevented the progress from being complete. Other courts continued to assure the king of their amicable dispositions; nevertheless, in the present situation

of affairs, it was expedient to put the kingdom in a respectable state of defence. He regretted the expence necessarily attendant on our present situation, but doubted not that the commons would cheerfully grant the supplies that might be wanted for such momentous purposes. His sole object was to promote the true interest of all his subjects; no people ever lived under a milder government, or enjoyed more happiness, than the revolted colonies, as was demonstrated by their population, arts, wealth, and the strength by sea and land, which now gave them confidence to contend with the mother-country. Addresses being framed according to the usual form of complimentary repetition, produced very vehement debates, and motions of amendment diametrically opposite to the original propositions. The opponents of ministers asserted, that the disaffection and revolt of a whole people could not have taken place without error or misconduct in their former rulers; they repeated their objections to the present system of measures, imputed to them pernicious effects, and contended that nothing could restore Britain and America to their former happy state and relations, but a total change both of counsels and counsellors. Nothing could be more inconsistent with a proper spirit in parliament, than an attempt to bend British subjects to an abject unconditional submission to any power whatever; to annihilate their liberties, and subdue them to servile principles and passive habits by means of foreign mercenaries. Amidst the excesses (it was said) which have happened, we ought to respect the spirit and principles which so evidently bear an exact analogy to those that supported the most valuable part of our own constitution. The speech had asserted, that the prosperous state of America was owing to the mild government and fostering protection of Britain: they admitted the proposition, but a necessary consequence

Debate.

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consequence of the truth was, that those who had wantonly changed so beneficial a system deserved the severest censure. The Americans had been charged with implicitly obeying arbitrary leaders: Who were these tyrants? In no country of great population and power was there so near an equality between individuals, or so little of dependence; in situations, wherein labour was extremely productive even to the lowest operator, a very moderate share of industry produced an ample subsistence, and removed the cause which in other countries so often rendered the lower classes retainers to some patron in the higher. As the general prevalence of independent and easy subsistence precluded the necessity of abject submission to wealth, the want of nobility prevented the authority annexed in other countries to rank and title. The provincials had no motives to yield to the authority of adventitious distinctions: Mr. Hancock, their civil president, was a plain merchant, of fair character, who possessed no influence over the people beyond that which arose from the trouble caused by British administration. Mr. Washington was a country gentleman of a great landed estate, such as several private gentlemen possess in every county in England; respectable in his own district, but little known beyond its limits before the situation of his country called him from obscurity. Others, now most eminent in the field and congress, would have been still more obscure, had not the oppressive acts of Britain stimulated the public exertion of their abilities: in circumstances rendering resistance necessary to preserve their liberties, they naturally reposed their chief confidence in virtue and ability; they acknowledged the power of talents and qualifications; listened to the advice which they thought wisest and most patriotic, from their own delegates and agents; and followed their counsels with a willing ratification, and not an ex-

torted obedience. The persons represented by ministers as governing the Americans with despotical tyranny, were no other than their own officers and servants, appointed by their will, and removeable at their pleasure. The conciliatory offers, in themselves totally inadequate to the case, had not been brought forward until the whole system declaring them rebels and enemies, and denouncing the vengeance due to such, had full time and scope for operation. The amicable and pacific professions of other powers deserved no reliance, while they were really assisting the Americans, and making powerful preparations both by sea and land. Respecting the required unanimity, ministers could not be serious. "We (continued their opponents) predicted the mischiefs which have since actually arisen, because we reprobated ministerial proceedings as pernicious; and though they have really proved more fatal than we represented, yet we are called upon to give our approbation and support."

MINISTERS contended, that "the American declaration of independence had entirely destroyed the grounds on which they had been formerly supported in parliament. Our colonies enabled us to hold a principal place among the chief powers of Europe; deprived of these settlements, we should be reduced to a state of humiliation and dependence. Should we ingloriously relinquish our present situation, or by a vigorous exertion retain our usual power and splendour? Besides interest and safety, indignation and resentment ought to rouse the British spirit to chastise the ingratitude and insolence of the American rebels. Though the atrociousness of their crimes would justify any severity of punishment, it was still wished to treat them with lenity, when brought to a knowledge of their condition, and a sense of their duty. Designing and ambitious leaders never could have succeeded in instigating the Americans to hostility and a declaration of independence,

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dependence, if their disobedient and rebellious spirit had not been fomented and nourished by aspiring and factious men in this country, who sacrificed loyalty and patriotism to their own selfish and unjustifiable projects. The opponents of ministers in parliament having hitherto avowedly regulated their conduct on the supposition that the Americans never designed or even desired independence, were now bound to support, with the utmost vigour, measures necessary for their reduction." The votes in favour of ministry were nearly as numerous as usual, but in debate the animation of their friends was not so ardent; the hopes of an immediate reduction of America they saw were not fulfilled; another campaign must be encountered, very great expence must be incurred, and foreign powers would probably interfere in the protracted contest.

THE declaration of American independence placed the supporters of the colonists in a situation never before known in the history of parliament; the Americans were no longer fellow-subjects complaining of grievances, but a separate state engaged in hostilities with this country. Parliamentary annals do not before this session afford an instance of a party in our senate avowedly defending the cause of a power with which our country was at war, with the approbation of both the senate and nation. Members may have censured either the impolicy or precipitancy of intended hostilities[a], but after they were actually commenced, have abstained from such opposition, as tending to inspirit the enemy, and to dishearten their countrymen. They have objected to specific plans for carrying on the war, and censured instances of rash or feeble execution; but their animadversions were confined to management without extending to origin: they showed themselves aware that when a powerful state is once

[a] In the Dutch war undertaken by the mean and profligate Charles, not merely a party, but the parliament and nation were averse to hostilities.

involved

involved in a war, the only effectual means of honourable and secure extrication are vigorous efforts; but the opponents of ministers at this period took a different course, and however prudent and just their exertions might be while they tended to avert war, they became much more questionable in point of expediency, from the time that the colonies separated themselves from the mother-country.

Motion for a revision of acts obnoxious to the Americans, in conformity to general Howe's proclamation.

A FEW days after the introductory debate, lord John Cavendish having produced a copy of the proclamation issued by lord Howe and his brother on the capture of New York, proposed that in conformity to its promises, the house should resolve itself into a committee for revising the acts by which the Americans thought themselves aggrieved. Ministers replied, that the proffered redress of grievances was intended only for those who should return to their duty. A disavowal of independence and an acknowledgment of British supremacy were requisite on the part of the colonies, before any conciliatory measures could be adopted by Britain. The proclamation was perfectly conformable to the general spirit of all our proceedings; sanctioned by great majorities in parliament, it assured protection and the maintenance of their constitutional rights to those who should return to their duty, but vindicated the authority and dignity of this country. To revise and repeal laws with a view to redress the grievances of a people, who, denying the authority of such laws, could not be aggrieved by their existence, would be grossly absurd and nugatory. If they persisted in their renunciation of dependence, there was no doubt, from our force and our recent successes, that we could soon reduce them to submission. Although the ministerial argument, that it was absurd to debate upon the degree of authority to be exercised over men who denied the asserted right of exercising any, was fair; yet

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their assertion, that this proclamation offered no more than preceding acts of the legislature and executive government was not equally just; before, they had promised amnesty to unconditional submission; in this paper they had proposed a condition, in compliance with which a revision of obnoxious laws and a redress of grievances were proffered. In the course of the debate, ministers, though they agreed in opposing the motion, took different grounds. Lord North dwelt chiefly on conciliation, which he appeared to think the commissioners might effectuate: Lord George Germaine, and other speakers, trusted chiefly to compulsion, as the only means of driving out of them their spirit of independence. Opposition did not fail to observe and mention their diversity, which, indeed, had very frequently been discovered; but that body itself, without harmony and system, notwithstanding the great abilities of several members, and the extraordinary powers of some, did not so effectually counteract the schemes of ministers, as it might have done by unanimity and concert. In debating this question, the speeches of opposition rather indicated than shewed the difference of opinion concerning American independence, which afterwards became manifest, and even produced a political schism among the opponents of the North administration. Mr. Burke and the Rockingham party early intimated a wish to treat with America without questioning her independence: Mr. Fox had joined opposition through no party connection, but chiefly associated with Mr. Burke and his political friends, and adopted many of their principles and doctrines; he agreed to this opinion, avowed it with his usual openness, and supported it with his usual force. Mr. Dunning, colonel Barré, lords Camden, Shelburne, and Temple, and others connected with the earl of Chatham, wished to treat with America, but to maintain the supremacy of Britain.

1776. Secession of members.

AFTER the rejection of this motion, many of the minority, especially of the Rockingham party, withdrew from the house when any question respecting America was discussed; they attended on ordinary business, but when that was dispatched, retired. They said, they were wearied with opposing reason and argument to power and numbers without any effect. This secession was by no means approved by opposition in general, many even loudly blamed such proceedings. A member of parliament, they asserted, consistent with his duty, cannot withdraw himself from the business of parliament, merely from an opinion that he will be outvoted, and ought not thence to infer that his attendance must be useless; though by vigilance they did not procure a majority, they were not without effect, as by discovering and exposing the absurdity and mischievous tendency of measures, they could often modify, if they did not prevent, pernicious laws and counsels. Some ackowledged, that the whole body of the minority might secede jointly, but that members ought not to absent themselves separately; and in support of this opinion they rather quoted precedents than adduced arguments. In 1738, Mr. Pitt, and the whole opposition to sir Robert Walpole, had, on the ratification of the Spanish convention, absented themselves from parliament. The defenders of individual secession contended, that, in cases of imminent danger to the constitution, such conduct might operate as a call to the nation, and awaken the people to a real sense of their condition: Its assailants insisted, that whoever was fit for being an useful member of parliament must derive his utility not from inaction, but from effort; that by his presence he might lessen the evil of hurtful propositions, though he could not amend them by his absence. They appealed to experience to prove the beneficial amendments which ministerial motions often underwent from

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from the strictures of opposition, so as to be rendered more innocent before they passed into laws.

1776. After the proposed revision of obnoxious acts, no political question of material magnitude engaged the attention of parliament until the expiration of

1777. the Christmas recess. In the beginning of February, a bill was introduced by lord North, for granting letters of marque and reprisals against American ships, which passed the house of commons without opposition; in the house of lords it underwent the small alteration of inserting the word *permission*, instead of *marque*, the latter being supposed applicable only to foreign enemies.

Letters of marque and reprisal bill.

Another bill proposed soon after by the minister, excited severe animadversion in parliament, and great alarm among the people: this was a law to enable his majesty to secure and detain persons *suspected* of treason, committed either in America or on the high seas, or *accused* of piracy. By the bill, persons so charged or suspected were liable to be imprisoned in a common gaol, or any other place of confinement within his majesty's dominions, there to remain without either bail, or the privilege of demanding a trial to ascertain the charges. The law was to comprehend crimes supposed to be generated in these realms, though committed abroad, and the penalties were to extend to all at home, by whom they should be suspected to be suggested or encouraged. The law was to continue in force for a year; and thus any man asserted to be suspected of these crimes might, at the pleasure of ministers, be detained in prison at home, or even sent to our foreign settlements; deprived of his liberty, or doomed to banishment, without any investigation of his case. Every British subject might be alleged to be an object of suspicion; his liberty therefore, the enjoyment of his friends and native country, the exercise of his talents, industry, and skill, might depend upon the permission of administration. Mr. Dunning

Bill for seizing suspicious persons.

Dunning first discovered and exposed the nature and tendency of this proposition: it might, he proved, operate not only as a suspension of the *habeas corpus*, but as a temporary banishment to persons against whom there was no evidence of criminal conduct. It was contrary to the spirit of laws and a free constitution, founded in arbitrary principles, and fitted to produce tyrannical consequences: these positions he established by a recital of its various provisions, and an enumeration of its obvious effects. The strongest objections being already adduced, Mr. Fox followed the probable operation of the law through a great variety of cases, and by his luminous eloquence illustrated its injustice and impolicy. Recurring to its principle, he inferred it to be an index of a general design long formed for changing the constitution of this country, and executed as opportunities served, circumstances suited, and power increased. To support their motion, ministers employed the usual topics; in dangerous situations it is necessary to strengthen the hands of government, and impossible to carry on public business without delegating power to the crown, which would be improper in seasons of tranquillity. The apprehensions from the operation implied a want of that confidence in ministers, without which they could not perform their official duties; should the authority entrusted to the executive government for a specific and indispensable purpose be abused, the means of redress were easy; parliament could not only withhold future reliance, but prosecute past malversation. To these common arguments, the luminaries of the law and eloquence urged their objections with a force which lord North saw it was in vain to combat; he was moreover informed that great fears were entertained by the people from the proposed law: to satisfy all parties, his characteristic dexterity gave such an explanation of his purposes, as permitted a very ma-

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terial change in the bill. Perceiving the minister begin to relax, Mr. Dunning offered two amendments; the one circumscribing the objects, the other the penalties of the law. After a long discussion, it was agreed that the bill should extend to none who were not out of the kingdom when the offences were committed, and that the confinement should be in no part of his majesty's dominions but within this realm. Lord North, in admitting these changes, declared that the present state of the bill corresponded with his principles and objects; and that he was sorry if any ambiguity of expression excited a different opinion: he hoped the present correction would satisfy gentlemen in opposition, and that the law would meet universal approbation. While the minister thus strove to please both parties, he, as is usually the case, satisfied neither; opposition thought he conceded too little, many of the ministerial party that he conceded too much; and that to render the bill agreeable to his political adversaries, he deviated from the intent with which it was designed by his co-adjutors. Lord North, indeed, often rendered it evident, that on very important questions he either did not originally agree with some of his own colleagues, or that, in the progress of a discussion, he fluctuated between contrary opinions. His education had rendered him a tory; his situation and many concurrent circumstances made him the official promoter of coërcion, but his temper and disposition inclined him to mildness and conciliation. If any of his measures were imperious or arbitrary, their severity and harshness arose, not from a mind dictatorial and tyrannical, but too yielding and indulgent, and which, from excessive pliancy, too often gave way to understandings far inferior to his own. The bill, with the alterations, passed the house of commons; and being carried to the peers, occasioned neither debate nor amendment. The peers of opposition absented

The bill is passed.

themselves

themselves so generally, that the only protesting opponent was lord Abingdon. CHAP. XVIII.

THE attention of the nation for several years had been almost solely engrossed by the American contest; but a transaction on the coast of Coromandel now attracted the regard of the public to the East Indies. 1777.

The transaction which turned the public attention to the affairs of India.

AT the treaty of Paris, France had been obliged to admit Sallabat Sing as lawful soubah of the Decan; Mahomed Ali Cawn, as lawful nabob of the Carnatic, or of Arcot. This prince had ever since cultivated a very close intercourse with the civil and military powers of the English presidency at Madras, and resided in the fortress. He displayed vigorous ability, enterprize, and ambition; and formed a considerable army, which he disciplined by British officers. His expensive establishment, and munificent gifts to the company's servants, had greatly exhausted his treasures; but his donations and character acquired an influence in the council, through which, with the assistance of his forces, he did not doubt that he would soon supply the deficiencies. Accordingly a joint project was concerted by the nabob and his friends of the British presidency; this was an expedition to Tanjore. Fuligee, rajah of Tanjore, was a Gentoo prince, near Cape Comorin, whose ancestors had never been conquered by the Mahomedan invaders of Hindostan: they were, however, obliged to pay a tribute. He himself had been for many years, and then was, in alliance with both the English and the nabob, and held his dominions under their joint guarantee. When the Mogul granted to the English such extensive powers, and they formed such arrangements as would render them most profitable, it was resolved that Mahomed Ali Cawn should be appointed to collect a revenue due to his superior, and that a considerable sum should be allowed to himself for agency. After this nomination, a great variety of pecuniary

The nabob of Arcot.

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pecuniary transactions took place between Mahomed and the king of Tanjore. The nabob applied to Fuligee for the revenue that was due; the rajah alleged that he had a right to deduct sums owing to him by the other, on the balance of their private accounts. The nabob insisted on the immediate payment of the whole revenue, and proposed to refer their own concerns to subsequent consideration. Fuligee repeated his proposals for the deduction, and pleaded his inability by any other means to pay the demand. The nabob applied to the government at Madras, and engaged the presidency to support him, by invading Tanjore with the company's forces. The event of this convention was, that the rajah was despoiled of his riches, and his subjects were plundered.[b] The proceeds of this incursion amounted to about five millions sterling; and the chief part of the booty was divided among the company's servants. When the news of this expedition reached England, the East India directors manifested great displeasure against the plunderers of Tanjore, and concerted measures for making all possible restitution to the injured rajah. For that purpose, they sent out as governor to Madras, lord Pigot, so highly respected for his able and effectual defence of it seventeen years before against the French; to him the company were indebted for preserving its possessions in that part of India. His civil government was no less distinguished than his military exploits, and his private character procured him extensive esteem. The English presidency, meanwhile, prepared to guard against the consequences of their late acts; and the nabob was still more anxiously making provisions for not only retaining what he had already acquired, but for securing, through his friends at Madras, the perpetual possession of the kingdom of Tanjore. Lord Pigot arrived in the

Lord Pigot is sent to India.

[b] Annual Register, 1777, p. 94—110.

latter

latter end of 1775, and was violently opposed by the majority of the council and the commander in chief, in executing the proposed plans of reform. Notwithstanding these obstacles, he succeeded so far as to restore the king of Tanjore to his ancient and hereditary dominions. This act of justice enraged the nabob, who, with his son, an impetuous and daring youth, joined the most avowedly violent of their friends in the presidency. Lord Pigot thought it of the highest moment to send a proper officer to restore the king of Tanjore; but the majority of the council opposed the appointment of the person whom he nominated for that purpose, and contended that their board had a right to act, notwithstanding the dissent of the governor. Pigot contended, that the governor was a part in every legal and orderly act of government. His lordship finding, as he affirmed, that the sole principle of the council was to traverse all his endeavours to carry the orders of the company into execution, embraced a very strong measure: having put the question, he, by his own casting vote, suspended two of the council; and, by his supreme authority, put the commander in chief under arrest. Enraged at these proceedings, the secluded members, together with the nabob and his son, formed a plot for securing the person of the president, and effecting a revolution in the government, which should place the power entirely in their own hands. By the confinement of sir Robert Fletcher, colonel Stuart succeeded to the immediate command of the forces. This gentleman was extremely intimate with the governor, to whom he appeared warmly attached; nevertheless he was closely connected with the suspended members and their adherents. Becoming an accomplice in their conspiracy, he, by his military power and personal ability, was a formidable accession to their party. Stuart was aware that violence offered to the governor's person by the troops

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Conspiracy against him,

executed by colonel Stuart.

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troops within the precincts of the fortress, would involve the actors in the capital penalties of the mutiny laws; but by means of his professed friendship, he was able to invent a stratagem for seizing the person of the governor, without incurring the legal criminality. On the 24th of August 1776, colonel Stuart spent the day at the house of lord Pigot[c], and was entertained with all the cordiality that a host could exert to a visitant whom he thought his sincere and affectionate friend. The guest, complaining of the excessive heat of the fortress, and observing his entertainer also affected by it, advised him to spend the night at a villa belonging to the governor, and, as an inducement, offered to accompany him in the excursion. The governor being persuaded, they set out together: when they were beyond the precincts of the fort, his lordship, according to the concert of his guest and professed friend with his avowed enemies, was met by an officer and a party of sepoys, rudely and violently dragged out of the chaise, carried prisoner to the Mount, and strongly guarded. Public orders, signed by the principal conspirators, were issued, by which immediate death was denounced on all who should attempt his rescue. The conspirators and their friends, under a course of legal forms, assumed the whole power of government. Representations of these transactions were immediately transmitted by the different parties to Europe; and the nabob, who had taken so active a share in the disturbances, sent a gentleman as his agent both to the company and ministers. A court of proprietors having considered the business, recommended to the directors to re-instate lord Pigot, and punish those who had dispossessed him of his power. The directors were not so decided in their opinion as their constituents: they voted indeed for the restoration

Proceedings thereon in the India-house.

[c] Annual Register, 1777, p. 252—255; and in detail in the evidence before the company.

of

of lord Pigot, and the suspension of the conspirators from their offices; but they also resolved, that his lordship's conduct had been reprehensible in several instances. When they re-considered the business, it was evident that their opinions were much farther distant from those of the proprietors, than at first. The agents of the ruling party at Madras, and the commissioners from the nabob, had by this time pressed their arguments and statements with a force and effect which weakened the professions that had produced the late resolutions. Government also had listened with such attention to the accounts of the prevailing party, as to have become manifestly favourable to the opposers of lord Pigot. On the 9th of May, the question being again discussed in the India-house [d], it was determined that the governor should be restored, but that he and the council of Madras should be ordered home, and their respective conduct undergo a legal scrutiny. From this determination governor Johnstone appealed to the house of commons, and moved for resolutions expressing strong approbation of the conduct of lord Pigot, condemning the proceedings of his opponents, and annulling the resolution. The seceders were now returned to the house, and, with the rest of the party, supported the motion of governor Johnstone. The adherents of ministry censured the conduct of lord Pigot, as well as his opponents, and contended, that in such circumstances it was right and equitable to bring both parties to England, where only a just and impartial inquiry into their conduct could be carried into execution. By the restoration of lord Pigot, the dignity of government would be supported and established; but he had abused his trust, and violated the constitution of the company, therefore his removal was equally just and necessary. Opposition justified the conduct of the governor, and insisted that the pro-

In parliament.

The seceders return to the house.

[d] See proceedings of the India-house respecting lord Pigot.

ceedings

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ceedings toward him amounted to an insurrection against established government. Mr. Burke displayed the atrocity of inferior servants toward a superior, who was promoting the honour and interests of their mutual master; and entered very deeply into the conduct of the nabob of Arcot, and the corrupt and dangerous influence acquired not only at Madras but in this country by that ambitious prince. The British government had espoused his cause, and that of his factious adherents: administration, by becoming the tools of this nabob, and countenancing schemes destructive to the interests of the company, had rendered it absolutely necessary for parliament to interfere for the security and preservation of India. These arguments had considerable weight, and the motion was negatived by a majority of only twenty-three, being much smaller than those which usually voted for ministers. As governor Johnstone's appeal was rejected, the resolutions of the India-house met with no further animadversion from parliament: an order was sent out for recalling lord Pigot, as well as the members of the council.

On the 30th of May, the earl of Chatham made one effort to rescue his country from the miseries of war. This illustrious statesman disregarded the disappointment of his former attempts, and was more strongly confirmed by the event in his reprobation of hostilities destructive to the parties: enfeebled by age, borne down by distemper, and supported by crutches, with a body fit only for the bed of sickness, but a mind qualified to restore the nation from sickness to health if it would follow his prescription, the venerable patriot came forward to propose the salvation of the state by a change of counsels and of conduct. He moved an address to the throne, representing that they were deeply penetrated by the misfortunes which impended over the kingdom from the continuation of an unnatural war.

Motion of Lord Chatham for terminating the war.

war. He recommended an immediate cessation of hostilities, and a removal of accumulated grievances, as the only means of regaining the affections of our brethren, and securing to Great Britain the commercial and political advantages of those valuable possessions. In explaining his general object, he unavoidably repeated statements formerly made, and arguments frequently advanced both by himself and other statesmen. But he exhibited more fully and circumstantially than at any preceding period, the danger to which our discord and situation exposed us from the house of Bourbon. This part of his speech was a forcible, eloquent, and impressive comment on his own text, delivered at a much earlier stage of the contest—FRANCE AND SPAIN ARE WATCHING THE MATURITY OF YOUR ERRORS. It shewed with what penetrating sagacity and enlarged comprehension a mind of which "age had neither dimmed the perspicacity nor narrowed the range[e]," darted into the secret counsels of our rivals, developed the proofs of their designs, and unfolded the series of their policy. Ministers, he said, as they had blundered from the beginning, are led into a fatal error respecting our inveterate enemies, the French; they imagine nothing is to be dreaded from France, because she has not directly interfered in favour of America. Would they have France incur the expence and hazard of a war, when Britain is doing all for her that she can possibly wish or desire?[f] She has been sedulous to give just that degree of countenance and protection, which has hitherto served to keep the civil war alive, so as to baffle your designs or to waste your strength. The energetic orator described in the truest light, as well as the most glowing colours, the evils that had arisen, were proceeding, and must farther issue, from the ministerial system. Nevertheless, his rea- is rejected.

[e] See Mackintosh's Vindiciæ Gallicæ.

[f] See Parliamentary Reports, 3d May, 1777.

soning

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soning and eloquence were again unavailing, his pacificatory motions were rejected, and wisdom cried, but she was not regarded.

Supplies.

. . THE supplies for the current year were very great: they consisted of about forty-five thousand seamen, and about sixty thousand land forces, including all in the British pay at home and abroad. The sums required for the three great departments of annual provision, the navy, army, and ordnance, were granted without a division. The demands of the year rendering a loan necessary, five millions were voted; the new taxes for paying the interest were, a duty upon male servants, not employed in agriculture, manufactures, or commerce; on auctioneers, and on goods sold by auction; and additional imposts on glass and stamps. These being all taxes which could not be charged with affecting the necessaries of life, or extending greatly to the poorer classes, were deemed unobjectionable as measures of finance.

Strictures on lord North's dealings with contractors.

On inspecting the accounts of expenditure during the preceding year, opposition contended that they were perplexed, obscure, and nearly unintelligible. Beside this intricacy, which they imputed to them generally, there were in various instances great sums stated in the gross amount, without any specification of items. This objection was urged with peculiar severity against the charges for contracts; the agreement for supplying the army and fleet in America with rum, afforded an ample field for animadversion: four shillings per gallon had been allowed, when three was the market price; and the contractor was in one account credited with thirty-five thousand pounds for rum, without any statement of the quantity, quality, or price of the goods delivered: the same person had also the benefit of a very objectionable contract with government for furnishing horses. In discussing these bargains, Lord North's dealings with contractors, which afterwards constituted so capital a sub-

a subject of reprehension, were for the first time scrutinized and censured; and it was strongly contended, that in the department of his business which respected national grants, the minister was far from being *a frugal steward of the public money*. But the animadversions on this profusion were by no means confined to economical considerations, they also extended to political. Opposition charged the minister, not only with waste, but corruption: several contractors had seats in parliament; national treasure, it was observed, was squandered in iniquitous contracts; and the contractor was, by the money of his constituents, bribed to betray their interests, which he had been chosen to protect. Bad and unwholesome provisions were allowed to be sent by persons receiving a price much beyond the market value of provisions that were really good and wholesome: such deleterious fare spread distemper through the troops, and carried off many more than actual service. The minister endeavoured to defend himself from these charges; but his arguments, though plausible and dexterously urged, were by no means cogent and convincing.

Unexpected demand from the landgrave of Hesse Cassel.

THE payment of an unexpected demand to the landgrave of Hesse Cassel, for a debt alleged by him to have been due for levy-money ever since 1755, was severely censured. The minister contended that the claim was fair, though from the distance of time not expected. The Hessian prince was in justice entitled to the amount, though there had been no late treaty; and while we were now deriving such benefit from his troops, policy required us to keep on the best terms with him, by satisfying his just demands.

Debt on the civil list.

AFTER the pecuniary business had been thought to be entirely at an end, and the session was drawing near to a close, a message was delivered from his majesty, informing the house that a debt of 618,000*l.* had been incurred by the civil list. The

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minister moved, that the requisite sum should be granted for discharging the amount; and that a hundred thousand pounds should be added annually to the eight hundred thousand. This motion was strongly opposed: the incumbrance, it was alleged, was owing entirely to the profusion of ministers, and had been contracted for the sake of carrying on and supporting a system of corruption. The accounts were, as usual with that minister, intentionally intricate, obscure, and general: no less than 294,000*l.* was placed to the account of secret service money; and vast sums were charged for foreign ambassadors and for the board of works, without any particularization. It was inconsistent with the duty of the commons to their constituents, to vote away the national money, without any evidence of value received: the eight hundred thousand pounds was sufficient for answering the various appropriations, and supporting the regal dignity and splendor. The desired addition was peculiarly unseasonable at the present time, when the nation was groaning under their accumulated burdens to promote the ruinous projects of ministry, and to encourage their extravagance and corruption. Ministers argued, that the present debt, and the necessity of an addition to the income of the civil list, arose from the same cause, the diminished value of money; besides, the royal family had increased in number. *The greatest possible economy* (said lord North) *always had been, and always should be employed, while he was at the head of the treasury.* The motions being carried through both houses, the speaker, a few days after, in presenting the bill to the king for assent, used the following words: "In a time, sire, of public distress, full of difficulty and danger, their constituents labouring under burdens almost too heavy to be borne, your faithful commons, postponing all other business, have not only granted to your majesty a large present supply, but also a very great additional

Address of the speaker to the sovereign.

additional revenue, great beyond example, great beyond your majesty's highest expence; but all this, sire, they have done in the well-grounded confidence, that you will apply wisely what they have granted liberally." On their return to their own house, the commons voted unanimous thanks to the speaker. Some of the ministerial party, however, on re-considering the subject, were greatly displeased with what he had delivered, as it appeared to them to contain an insinuation not favourable to the character which they claimed of being *economical stewards* for the public. Mr. Rigby, a few days after, declared that the speaker had not expressed the sense of the commons: Mr. Fox immediately moved, that he had spoken the sense of the house. Lord North and the more moderate part of the ministerial adherents, though they wished the motion withdrawn, finding Mr. Fox would not comply, to avoid altercation voted in its favour; and on the 8th of June, parliament was prorogued.

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Occupations of Howe during winter—of Washington.—Plan of the campaign—its late commencement by general Howe—desultory operations in the Jerseys.—General Howe moves from winter-quarters—attempts by a stratagem to bring Washington to battle—failing in that expedient, evacuates the Jerseys.—Expedition by sea to Philadelphia.—Battle of Brandy-wine.—Major Fergusson essays a new species of rifle, invented by himself.—Capture of Philadelphia.—Battle of German-town.—American fortifications on the river.—Red Bank and Mud Island taken.—American fleet burnt.—Situation of the Americans at White Marsh and Valley Forge favourable to an attack.—General Howe's inaction—he retires early to winter-quarters.—Conduct of general and troops at Philadelphia.—Expedition of sir Henry Clinton up the North river.—Capture of Prescot in Rhode Island.—Northern army—Burgoyne takes the command.—Carleton offended with the appointment, resigns his employment.—Burgoyne purchases the aid of Indian savages—number of his troops.—Expedition of colonel St. Leger.—The general's manifesto.—Capture of Ticonderago and Fort Independence.—Destruction of American gallies.—The army reaches the Hudson.—Cruelties of the Indians.—Defeat at Bennington.—Siege of Standwix—raised.—Battle with general Gates at Stillwater.—Distressed situation of the army—desertion of the Indians.—Burgoyne retreats.—Battle near Saratoga—reduced state of the army—troops surrounded—Convention with the Americans at Saratoga.

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THE public attention was now turned to the campaign in America, and great expectations were formed that it would terminate in the complete reduction of the colonies. The general plan was nearly the same as in the preceding year; that the Canadian army should co-operate with general Howe, and thus the command of New York province

province divide the northern from the southern colonies. CHAP. XIX.

A BODY of provincial loyalists was formed under the direction of the commander in chief; they were allowed the same pay as the regulars, and officered by gentlemen who had been obliged to leave their respective habitations for their attachment to the royal cause. Inexperienced, and not inured to military discipline, they were not yet fit for active service, and were therefore so stationed as to allow the veterans to take the field. General Howe himself enjoyed every luxury at New York which he could have found in the metropolis of Britain: his favourite occupation was gaming, a pastime in which many of his young officers became thoroughly initiated. There were routs, balls, and assemblies in great abundance; so that the head-quarters bore the appearance of a gay and voluptuous city in the time of peace, rather than a military station for watching and annoying the enemy in war.[a] Such were the pursuits of the British commander from December to June. While general Howe thus amused himself and his troops with the diversions and pleasures of New York, Washington was very differently employed. The difficulties which, notwithstanding the forbearance of his antagonist, the American commander had to encounter, were extremely arduous. The provincial forces were hitherto but a militia, both in their discipline and the tenure of their service: the late success at Trenton promoted the disposition of the colonists to resist; but, on the other hand, the severity of the season suspended their military ardour, insomuch that about the middle of February the colonial army did not exceed four thousand men[b]; and this small body of raw peasants was moreover sickly. Nevertheless

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Occupations of Howe during winter.

Conduct of Washington:

[a] Stedman's History of the American war, vol. i. p. 287.
[b] Washington's official Letters, vol. ii. p. 31.

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for four months they occupied a position at Morristown, not fifty miles from the brave and numerous veterans of the royal army, where they not only experienced no annoyance from general Howe[c], but harassed and distressed the British posts and foraging detachments. Washington did not fail to profit by the cessation of British effort. The boundless spirit of individual independence, which so naturally followed the American claims and assertions, was adverse to the operation of authority, and especially to that prompt and implicit submission which is necessary in military bodies. Washington saw that the powers which were allowed in the various gradations of command, were inadequate to their object: hitherto the commander in chief himself was obliged to act according to the specific instructions of the congress. The general represented the disadvantages which accrued to the common cause from authority so fettered; and such was the influence of his known wisdom and patriotism, that he was vested with full and ample powers to collect an army of foot and horse in addition to those which were already voted, to raise artillery and engineers, and to establish their pay. Thus empowered to organize an army, the next care of Washington was to bind the troops to military fidelity as well as political allegiance. To the powerful motives of conceived patriotism and freedom he added the cement of religion, and, with the approbation of congress, proposed an oath of adherence to the provincial cause. Provisions so wise produced the expected success; the colonists soon ceased to be an irregular militia, and became skilful and disciplined soldiers. During the same important interval, twenty thousand stand of arms arrived from the continent of Europe, and before

He devises means for rendering the army efficient.

Oath of allegiance and fidelity.

[c] Ramsay, the American historian, informs us, that his countrymen were astonished at the inaction of the British during so critical a period, vol. ii. p. 28

the

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the expiration of the spring the hopes and spirits of the Americans were revived and invigorated to meet the dangers of the approaching campaign. Such were the efforts of Washington during the momentous period which the British general passed in pleasurable quarters.

Howe opens the campaign by detachments.

SUMMER being commenced, Howe proposed to begin the operations of the present campaign according to the same mode in which he terminated the last, and to send out detachments, while with the main army he continued in his present residence. Up the Hudson river, about fifty miles from New York, on the western shore, is a place called Peek's Hill, which served as a port to Courtland Manor, and where stores and provisions were received for the American army: to distress the enemy, general Howe thought it advisable to attempt the seizure of this port before the main army took the field. Accordingly he detached colonel Bird with five hundred men upon this service. On the approach of the British corps, the Americans, after setting fire to the barracks and storehouses, evacuated the fort: by the conflagration, the king's troops were prevented from seizing the expected provision and ammunition, but they effected the chief purpose of their expedition, by curtailing the resources of the enemy. Another detachment of two thousand men was sent, under general Tyron and sir William Erskine, to Danbury, in the confines of Connecticut, where they destroyed a large quantity of stores: fatigued by their march, they were attacked by the enemy, but repulsed the assailants, though with the loss of two hundred of their own troops. Lord Cornwallis also surprised and defeated a body of colonists near Brunswick. The Americans, on the other hand, destroyed a considerable quantity of our provisions at Saggy harbour in Long Island. General Stevens with two thousand provincials attempted to surprise the forty-second regiment

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cantoned at Piscataway, amounting to less than a thousand men: but after a furious engagement, the gallant highlanders, under their able commander colonel Stirling, completely routed the enemy. While this desultory warfare was carried on by detachments, the commander in chief remained quiet at New York another month. His alleged reason for beginning the campaign so late was, that *there was no green forage on the ground*[d]: there was plenty of CORN AND HAY, which persons conversant in the management of horses affirmed to be preferable food for them when employed in active service, but the general professed a different opinion.

Attempts by a stratagem to bring Washington to battle;

ON the 12th of June, the general with thirty thousand men marched towards Courland Manor, where the enemy were posted to the number of eight thousand. The position of Washington appeared to the British commander so strong, that, notwithstanding his great superiority both in numbers and discipline, he deemed it inexpedient to venture an attack; after in vain trying to bring the American general to battle, he, on the 19th of June, pretended to make a precipitate retreat. The Americans left their fastnesses to pursue the enemy; Howe marched his army back, and sent lord Cornwallis to secure the passes, so that the provincials being hemmed in might be compelled to fight. On the 26th, his lordship met the advanced body of the enemy, attacked them with great fury, and soon put them to the rout. Washington, finding that he had been deceived by a feint, immediately returned to his hilly station, and occupied the passes before lord Cornwallis could arrive. Not having succeeded in this stratagem, general Howe somewhat hastily concluded that it would be useless to attempt any other expedient for bringing the

failing in that expedient, evacuates the Jerseys.

[d] Stedman, vol. i. p. 287.

enemy

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enemy to battle; he therefore resolved to abandon the Jerseys, and crossed with his army to Staten Island. The general himself, in a plan of operations sent to lord George Germaine, had declared his intention of penetrating to Philadelphia, through Jersey: the minister had approved, and strongly enjoined him in all his movements to have in view co-operation with the northern army. Certain military critics allowed, that if he had continued in the Jerseys, by intercepting Washington's convoys he might have compelled him either to fight, or with his army to perish by famine; that the short and direct road to Philadelphia was through the Jerseys, and that with thirty thousand veterans he could have easily forced his way through eight thousand so lately levied. Notwithstanding these considerations, the weight of which it required little sagacity to perceive, he determined on undertaking an expedition round the coast: nautical gentlemen represented to him, that at this season of the year the winds were very contrary; the admonitions were unavailing, he persisted in his resolution. Leaving a considerable body of troops under general Clinton to guard New York, he embarked the rest of the army on the 5th of July, but by some unaccountable delay did not sail till the 23d. Having arrived at the capes of the Delaware, he learned that the enemy had blocked up the river, he therefore proceeded to the Chesapeak Bay, and sailed up the Elk, but did not come to land till the 24th of August. Thus, from the beginning of November, the commander in chief, with thirty thousand of the bravest and best disciplined troops, opposed by less than ten thousand undisciplined recruits, had not advanced one step nearer the object of his appointment. He was in autumn, by a circuitous and difficult route, proceeding to a city, which in the foregoing winter was ready to yield, if he had advanced by a short and then unguarded road; but

Expedition by sea to Philadelphia.

Philadelphia

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Philadelphia was to be captured by the hardships of a winter campaign, and not by luxurious indulgence.

On landing the army, sir William Howe published a proclamation, offering pardon and protection to all who should surrender themselves to the British army, and assuring the inhabitants that the soldiers should observe strict order and discipline on their march. General Washington, informed that the army was arrived in Pennsylvania, crossed the Delaware with his army on the 11th of September.

Battle of Brandy-wine.

The British troops advanced to Brandy-wine, a river which, running from the west, falls into the Delaware below Philadelphia. On the left bank, next to the city, the Americans posted themselves, and erected batteries at Chadsford, where they presumed the royal army would attempt to pass: Under cover of their batteries a body of them also occupied the right bank. General Howe detached lord Cornwallis with two battalions of British grenadiers, as many of light troops, two battalions of Hessian grenadiers, two British brigades, and part of the seventy-first regiment, to cross the river farther up, and thus gain the enemy's rear. At the same time general Knyphausen, with another division, marched to Chadsford, against the provincials who were placed there; in this service the German experienced very important assistance from a corps of rifle-men, commanded by major Patrick Fergusson. The dexterity of the provincials as marksmen had been frequently quoted, and held out as an object of terror to the British troops. Fergusson, a man of genius, which was exercised in professional attainments, invented a new species of rifle, that combined unprecedented quickness of repetition with certainty of effect, and security to the soldiers. The invention being not only approved, but highly admired, its author was appointed to form and train a corps for the purpose of practice; but

Major Fergusson essays a new species of rifle, invented by himself.

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an opportunity did not offer of calling their skill into action, until the period at which we are now arrived. Fergusson with his corps, supported by Wemyss's American rangers, was appointed to cover the front of Knyphausen's troops, and scoured the ground so effectually that there was not a shot fired by the Americans to annoy the column in its march.[e] So secured, Knyphausen was enabled to advance without interruption, attacked the enemy, obliged them (though protected by their batteries) to cross the river, made good the passage of his own division, and opened the way to the rest of the army. Meanwhile lord Cornwallis crossed behind the enemy's rear; and general Washington, informed of this movement, sent general Sullivan with a considerable force to oppose the British detachment. The American seized the heights which rose from the banks; having his rear and right flank covered by woods, and his left by the river. The British commander began the attack by four o'clock in the afternoon; the provincials, after a

Battle of Brandywine.

[e] The meritorious conduct of Fergusson was acknowledged by the whole army, and publicly attested by order of the commander in chief.

Fergusson, in a private letter of which Dr. Adam Fergusson has transmitted me a copy, mentions a very curious incident, from which it appears that the life of the American general was in imminent danger. While Fergusson lay with a part of his rifle-men on a skirt of a wood in front of general Knyphausen's division, the circumstance happened, of which the letter in question gives the following account:—"We had not lain long when a rebel officer, remarkable by a Hussar dress, passed towards our army, within a hundred yards of my right flank, not perceiving us. He was followed by another dressed in dark green and blue, mounted on a good bay horse, with a remarkable large high cocked hat. I ordered three good shots to steal near to them and fire at them: but the idea disgusted me; I recalled the order. The Hussar in returning made a circuit, but the other passed within a hundred yards of us; upon which I advanced from the wood towards him. Upon my calling, he stopped; but after looking at me, proceeded. I again drew his attention, and made sign to him to stop, levelling my piece at him; but he slowly continued his way. As I was within that distance at which, in the quickest firing, I could have lodged half a dozen balls in or about him before he was out of my reach, I had only to determine; but it was not pleasant to fire at the back of an unoffending individual, who was acquitting himself very coolly of his duty, so I let him alone. The day after, I had been telling this story to some wounded officers who lay in the same room with me, when one of our surgeons who had been dressing the wounded rebel officers came in and told us, that they had been informing him, that general Washington was all the morning with the light troops, and only attended by a French officer in a hussar dress, he himself dressed and mounted in every point as above described. I am not sorry that I did not know at the time who it was."

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very obstinate resistance, were driven into the woods; and posting themselves on another eminence, made a second stand still more vigorous than the first; they were again dislodged, and forced to retire, with the loss of a thousand killed and wounded, and four hundred taken prisoners. The main body of the British army had now crossed the river; sir William Howe turned the right of Washington's troops, Knyphausen was in front, the Brandy-wine on the left, and the Delaware at a small distance in the rear. Lord Cornwallis, after his victory, was able to join the general. The only way by which the provincials could escape was between the Delaware and the division under the immediate command of general Howe; it was apprehended, that if the commander in chief had advanced farther round the enemy's flank, he might have inclosed the provincial force; this movement, however, was not attempted, and general Washington drew off his troops during the night to Chester, near Philadelphia. Even the next morning, it was alleged, that the British troops might have intercepted the Americans; but the experiment was not tried. General Howe remained several days at Brandy-wine after the enemy had retired. Washington employed this very unexpected cessation in collecting his dispersed troops, and supplying from his magazines the stores which had been lost in the battle. On the 20th of September, intelligence being received that general Wayne was concealed, with fifteen hundred men, in the wood on the left wing of the British army; general Howe dispatched major-general Grey with a strong body to surprise and dislodge the provincial detachment. Proceeding with great secrecy, the royal troops executed this project so completely, that they killed or took about four hundred, with the loss of only seven soldiers and one officer. On the 22d of September, sir William Howe crossed the Schuylkill with his whole

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whole army; on the 26th, he advanced to German-town; and the following day, with Cornwallis, took possession of Philadelphia without opposition. Being thus masters of the capital of North America, the British commander next turned his attention to establish a communication with the fleet, by removing the obstructions which the Americans had placed in the river, and strengthened it by forts. There were disposed rows of chevaux-de-frize, floating batteries, and gun-boats, in the most accessible parts of the river, covered by intrenchments and redoubts on the banks. General Washington, now encamped at Skippach Creek, on the eastern side of the Schuylkill, formed the design of surprising the British camp at German-town. The 3d of October was the day appointed for executing this project: Washington advancing with his force divided into five columns, attempted to separate the British army so as to insure success in the different flanks. The fortieth regiment and Colonel Musgrave having the advanced post were first attacked, but the skill and activity of that officer, together with the determined courage of the soldiers, arrested the progress of the enemy, prevented the separation of the right and left flank, and gave the whole army time to form the line. Major-general Grey brought up a division with such rapidity and force, that the Americans were obliged to act on the defensive: the engagement became general, and was for some hours very warm; at length, part of the right wing forced the enemy's left to give ground, and fly with great precipitation. The rest of the provincials also retreated, attempted to rally on rising grounds near the scene of action, and pretended to renew the battle; but this was only a feint to secure their retreat. In their flight they were favoured by a fog, which prevented the British troops from an effectual pursuit. Though the king's troops drove the enemy from the field, our loss was very considerable;

Capture of Philadelphia.

Battle of German-town.

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considerable; six hundred were killed and wounded; and, among the former, colonels Agnew and Bird, two officers of very high character: the killed, wounded, and taken prisoners of the enemy, amounted to about twelve hundred. On the 10th of October, general Howe, withdrawing his army from German-town, encamped in the immediate vicinity of Philadelphia, whence he sent detachments to co-operate with the fleet in the Delaware. One of the strongest of the American forts was at Billing's Harbour, on the Jersey side of the river; thither the commander in chief detached three regiments under colonel Stirling to attack the place: on his approach the works were abandoned. The English fleet being arrived in the Delaware, preparations were made for attacking the water-force of the provincials.

American fortifications on the river.

The Americans had constructed a very strong fortification on Mud Island, in the Delaware, off the mouth of the Schuylkill; this post commanded the navigation of the river, and unless reduced, could intercept the stores and provisions of the army; opposite to this place was Red Bank, which commanded the fort on the east; while Province Island, possessed by the British, adjoined in the west, and the British fleet on the south. Colonel Stirling applied to general Howe for leave to fortify so advantageous a position, the general did not think proper to comply: the Americans did not however neglect to secure so important a means of defence, and with great rapidity raised fortifications. At length discovering the advantage of Red Bank, general Howe sent colonel Donop with three battalions of Hessian grenadiers to attempt the redoubt by assault. The German leader setting out on the 20th of October, arrived the next day at the place of destination. Having marched up in the face of the enemy's fire, not only from the fort, but from floating batteries and gallies on the river and forces in an extensive outwork, they arrived before the redoubt, which

which they found to be more than eight feet high, with a parapet boarded and fraized, and impregnable without scaling ladders; for the commander in chief had omitted to furnish them with this implement so necessary in storming a fort. With victory within their reach, if the proper preparations had been made, they were through this negligence obliged to retreat precipitately through the triple fire; and lost their leader, who was mortally wounded, and died three days after in the hands of the enemy. Five ships of war had attempted to second Donop's efforts, but two of them ran a-ground: one, the Augusta, was set on fire by the enemy; and the other, the Merlin, was obliged to be abandoned. Meanwhile preparations were going on for attacking Mud Island from the western shore, but the batteries were not opened till the 10th of November; the part of the fleet destined to co-operate was prevented by contrary winds from advancing till the fifteenth. The provincials quitted the fleet the following night, and two days after Red Bank was also abandoned; a few of the American gallies escaped, but the greater number were destroyed: a communication was opened between the fleet and the army.

Red Bank and Mud Island taken.

The American fleet destroyed.

While detachments were performing these services, general Howe, with the main army, continued inactive at German-town, from the 3d of October to the 4th of December. General Washington having received a re-inforcement of four thousand men from the northern army, Howe hoped he would venture a battle: with this view he marched to White Marsh, where the American general was encamped. On the 5th and 6th, he offered battle to the Americans, but they would not come from their lines; general Howe made no attempt to force the camp, and during the night changed his position. Columns under lord Cornwallis and general Grey dislodged the enemy from two of their out-

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out posts; the general still judged it imprudent to venture the safety of his troops by attacking the enemy in their intrenchments. It had been expected that the commander in chief would have attacked the provincials on the rear, where their fortifications were by no means so strong as in the front and flanks, and as the roads in that quarter were very excellent, general Washington himself apprehended that such an attempt would be made, but he was mistaken. Indeed, the principles by which the British general directed his military operations, were such as baffled even the sagacity of Washington to discover. The general, without making any attempt on the practicable part of the enemy's camp, retired with his army to Philadelphia. General Howe began the campaign in 1777 with thirty thousand veterans, the enemy with eight thousand recruits; by all his marches, counter-marches, detachments, expeditions and battles, he got fresh winter-quarters, without impairing the force of his enemy: the attainment of the object for which he was appointed was no nearer than when he sailed from Halifax. Thus closed a campaign, with few parallels in military history for uniting efficiency of force and multiplicity of operation with futility of result. Such must impartial history transmit to posterity the warfare of general Howe in America.

1777. Situation of the Americans at White Marsh favourable to an attack.

Inaction of general Howe.

Retires to winter-quarters.

Result of his means and efforts.

THE commander found Philadelphia equally productive of pleasurable indulgence as New York. The winter was spent in dissipation of every kind, but particularly in the frenzy of gaming, which was not only permitted by the general, but sanctioned by his own daily practice. A German officer kept a pharo bank, and accumulated a considerable fortune by preying on the British youth, who, through want of employment from the professional inaction of their leader, were driven to fill up their time with this pernicious pastime, and encouraged by the example which he exhibited. Many were utterly ruined, and obliged

Conduct of the general and troops at Philadelphia.

obliged to sell their commissions, because, instead of pursuing Washington and compelling him to fight or surrender, general Howe suffered his gallant and active troops to spend the winter in idleness at Philadelphia. The dissipation spread through the army, and tended as usual to produce indolence and want of discipline, which relaxed both bodies and minds. Washington, apprised of the retirement of the British army, quitted his camp, and took a position at Valley Forge, on the north side of the Schuylkill, and determined to winter there in a camp, instead of retiring to the towns of Lancaster, York, and Carlisle, at a greater distance from Philadelphia; by which means he would have left a large fertile district to supply the royalists with provisions. Though his army was destitute of clothing and many other necessaries, and ill-provided with tents and other accommodations for rest, yet did raw and undisciplined troops, from enthusiastic attachment to their meritorious general, imitation of his example, and ardent patriotism, bear all those hardships without repining. Among other wants of the Americans, was a great scarcity of intrenching tools; from this cause their lines were much weaker than usual; the approach in front was almost level ground; on the front and right, there was a ditch six feet wide, and three in depth; and a mound of small width, that could be easily broken by cannon. On the rear there was a precipice, impassable except by a defile, which could be easily occupied. On the left was the Schuylkill, which, if it guarded them from approach on that side, also cut off their flight if successfully attacked on the front and right.[f] It has been generally agreed by military judges, that if the British commander had made the attempt during any part of the winter, there was a moral certainty of crushing the whole army of the enemy,

Situation of the Americans at Valley Forge.

[f] Stedman, Andrews.

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but from December to May he suffered them to be unmolested.

1777. Expedition of sir Henry Clinton up the North river.

At New York sir Henry Clinton received from Europe considerable reinforcements, to undertake an expedition up the Hudson river to open a communication with the northern army. A division of his troops having stormed fort Montgomery, he himself attacked fort Clinton. The approach to this post was over a pass of about one hundred yards square, between a lake and a precipice that over-hung the river; the defile was covered with felled trees, which prevented the troops from advancing with either quickness or order; and from the fort they were galled with a dreadful fire. Notwithstanding the dangers and difficulties they had to encounter and surmount, the soldiers, both British and foreign, pressed forward with undaunted courage and perseverance, and arrived at the foot of the work. The Americans defended themselves with intrepid courage, but at length were overpowered by the resolute and active valour of the king's forces; and, after discharging a last volley, surrendered at discretion. In no action that occurred during the war, was British valour more conspicuously displayed than in this expedition, and the conquerors treated their prisoners with a humanity equal to their gallantry.

This advantage having been atchieved by land, commodore Hotham, who commanded the naval equipment, was no less successful by water, and either under his own immediate direction, or through sir James Wallace, destroyed the greater part of the American shipping on the river. A messenger arriving from the northern army, urged general Clinton to penetrate so far that he might co-operate with those troops; but he deeming the attempt impracticable, returned to New York. While Clinton was employed on the North river, Barton, an American colonel, formed a project of surprising general

general Prescot at Rhode Island, with a view to exchange him for general Lee. The American had learned that Prescot's head-quarters were at the west side of the island, near the shore, and that, trusting for security to a sloop of war which anchored in the bay, he was guarded by only one centinel, and was about a mile from his troops. Colonel Barton, with some officers and soldiers, landing at night unperceived by the guard-ship, effected their purpose, and by this means soon procured the restoration of Lee to the service of the provincials.

Capture of general Prescot.

WHILE in the south the British arms were obtaining unproductive victories, ultimately disastrous, by consuming our resources and impairing our strength; in the north, they experienced signal defeat, and a complete overthrow.

Northern army.

THE object of the Canadian expedition was to effect a co-operation with the principal force; and the command of the armament was conferred on general Burgoyne. Sir Guy Carleton, from his official situation in Canada, his conduct, and especially his defence of Quebec, might have reasonably expected this appointment; he was an older general, of more military experience, and better acquainted with the country, its inhabitants, and resources. His character commanded greater authority than Burgoyne's had hitherto established: the professional reputation of Burgoyne, indeed, was liable to no objection, but he had not, like Carleton, obtained celebrity. As no military grounds could be alleged for superseding Carleton to make room for Burgoyne, his promotion was imputed to parliamentary influence, more than to his official talents. Carleton, disgusted with a preference by no means merited, as soon as he heard of the appointment, resigned his government. The event was such as might be expected from the delegation of important trust, from extrinsic considerations instead of the fitness of the trustee for the service required.

Burgoyne is invested with the command of the armament.

Carleton resigns in disgust.

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THE plan of the expedition through the wilds of America was concerted in London between general Burgoyne and lord George Germaine. It was agreed that besides regular troops, Indian savages should be employed by the British commander; the alleged reason for calling in such auxiliaries was, that if they were not engaged in our service they would join the provincials; they would be useful in desultory warfare, and the British troops would moderate their atrocity. The force required by Burgoyne was eight thousand regulars, two thousand Canadians, and a thousand Indians. Of these near seven thousand two hundred veterans, including Brunswick mercenaries[s], a considerable part of the Canadian militia, and the requisite number of Indians, were ready when Burgoyne arrived from England to commence the campaign. He was besides furnished with chosen officers, among whom were generals Philips, Fraser, Powel, and Hamilton. Having sent colonel St. Leger with a body of light troops and Indians to create a diversion on lake Ontario and the Mohawk river, he himself, on the 16th of June, set out from fort St. John, proceeded up lake Champlain, and landed near Crown Point: here he gave the Indians a war-feast, at which he made them a speech, praising and stimulating their courage, but exhorted them to repress their ferocity. At Putnam creek he judged it expedient to publish a comminatory manifesto, in which, by a profusion of epithets and rhetorical figures, he represented the Americans guilty of the most flagrant enormities; he threatened the severest punishments against those who should still adhere to the cause of rebellious subjects; he should send the Indian forces to overtake the hardened enemies of Britain and their own country; he declared the most assured confidence that he should be able

1777. Burgoyne purchases the aid of Indian savages.

Number of his troops.

Expedition of colonel St. Leger.

Manifesto of Burgoyne.

[s] Stedman, p. 320.

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to subjugate all stubborn and refractory revolters. After having expatiated on the wickedness of their proceedings, and the vengeance which, if they did not repent, they must expect from justice armed with his irresistible powers, he concluded with explaining to them what the penitent might hope from his wise, generous, and forbearing mercy. It required no great sagacity to divine that men, who conceived themselves fighting for their liberties, and for two years had shewn a promptness to face any danger on account of so valuable an object, were not to be frightened from their purpose by high-sounding words. The impolicy of this declaratory boasting was obvious [h], and, in the opinion of impartial men, stamped the character of its author as deficient in sound wisdom, and that knowledge of human nature, without which neither a general nor a statesman can expect to succeed in arduous undertakings; his denunciation tended only to excite stronger resentment in the colonists, and to inspire more vigorous exertions to defend themselves from the threatened atrocities. Gates, the American general, replied to this production in a very plain but strong manifesto, which formed a striking contrast to the pompous phraseology and empty gasconades of Burgoyne's performance [i]. The British general advancing on the 2d of July, reached Ticonderago, which, with another fort opposite to it, recently built under the name of Mount Independence, were immediately abandoned by the Americans.[k] The general dispatched commodore Lutwitch, with the naval armament, in pursuit of the enemy's fleet that was conveying the provisions from the evacuated garrisons to Skenesborough; overtaking them near the place of their

Capture of Ticonderago and Mount Independence.

Destruction of the American gallies.

[h] See Annual Register.

[i] Speaking of the proffered mercy immediately after the threat of sending Indian savages upon the provincials, he said, "*the tender mercies of the Indian tomahawk* we will not solicit." See, in State Papers 1777, both the manifestoes.

[k] Stedman and Ramsay.

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destination, he captured some of their gallies, and set fire to the rest.

1777. Attack and defeat of the American rear.

On the 6th of July, the advanced corps of grenadiers and light infantry, under general Fraser, consisting of near twelve hundred men, came up with the enemy's rear, commanded by colonel Francis, composed of fifteen hundred of their chosen troops. Fraser, notwithstanding his inferiority, attacked the provincials, who received him with the firmest intrepidity. The battle was long doubtful, but the arrival of general Reidesel with the Brunswic troops determined the event. The Americans, conceiving that the whole German force had arrived, retreated with the greatest precipitation. They lost two hundred killed, as many taken prisoners, and about six hundred wounded, of whom the greatest number died in the woods. Of the British, about one hundred and forty, including twenty officers, were killed and wounded. Colonel Hill, with the ninth regiment, was sent to pursue a party of the enemy that had retired to Wood's Creek. Having overtaken them, the British leader perceived that they were much superior in numbers to his corps; he nevertheless engaged, and posted his men so judiciously as to prevent their repeated attempts to surround him by their numbers. After a battle of three hours, the provincials were forced to retreat with great slaughter. Schuyler, the American general, employed a stratagem frequently used afterwards in the course of the war: he wrote a letter to general Sullivan, intended to fall into the hands of Burgoyne; which being taken and perused by the British commander, so puzzled and perplexed him as to retard his operations several days, before he could determine whether he was to advance or retreat. At last he resolved to penetrate to Hudson river, while major-general Philips should bring the stores from Ticonderago along lake George to fort George, whence there was a waggon road to fort Edward

Edward on the Hudson. Military critics affirmed that it would have been much wiser in Burgoyne to have crossed the country from Skenesborough to lake George, embarked, and proceeded a considerable part of the route by water, than to have marched by land through a wild, woody, and swampy country. Their march was frequently interrupted by morasses, impassable without bridges, of which the construction employed a considerable time. Burgoyne alleged, that if he had returned to lake George, the retrograde movement would have damped the ardour of his troops; but the necessary slowness of their progress through those wilds and intricacies, was more likely to repress their animation. It was the 30th of July before they arrived at the river; there they were obliged to wait several days, until their provisions, stores, and other necessaries should be embarked. Burgoyne's expedition had at first struck great consternation into the minds of the Americans; but, on finding his advances much more tardy than they expected, their spirits began to revive, and they made various dispositions for recruiting their strength: reinforcements were sent to general Schuyler, who was posted at Saratoga on the Hudson, about twenty miles north from Albany. They sent Arnold to watch the motions of colonel St. Leger, and to prevent his co-operation with the main army. St. Leger was now advanced to fort Stanwix on the Mohawk river: the general saw it was necessary to co-operate with that officer, and to move rapidly forward; but he had a very large train of artillery: horses and carriages were wanting, provisions also were nearly exhausted. Having learned that the Americans had deposited a great quantity of stores at Bennington, about twenty-four miles east from Hudson river, Burgoyne resolved to attempt the seizure of this magazine; and dispatched colonel Baum, a German officer, on that service, with six hundred troops, including dragoons. It was represented to the general, that the proposed enterprise would require no less

The army reaches the Hudson river.

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than three thousand men; and that Germans, from the slowness of their movement, were by no means so fit for surprising the enemy as the British; that they were, besides, totally unacquainted with the country and the language, so that they could receive no information even from friends of the royal cause. The general, however, persisted in his resolution: the habitual slowness of German movements, added to the badness of the roads and the want of carriages, rendered Baum's advance so tedious, that the enemy were informed of his approach, and prepared for his reception. When he arrived at Bennington, he found the enemy so strong, that, with the small body entrusted to him, it would have been madness to attempt an attack. He accordingly fortified himself, and sent a message to the general, that the scheme would be impracticable without a reinforcement. Colonel Breyman was sent to his assistance, with five hundred Germans, who advanced with their usual tardiness.[l] Meanwhile Starke, an American general, who was on his way with a thousand men from New Hampshire and Massachusets to join the provincial army under Schuyler, hearing of Baum's expedition to Bennington, turned aside to second the efforts of Warner, who commanded the provincials at that place. On the 16th of August, the Americans surrounded Baum, who, though he made a gallant resistance, was overpowered by numbers[m], himself mortally wounded, and his troops put to the route. Elated with their victory, the provincials marched to attack Breyman, who, ignorant of Baum's defeat, was advancing to his assistance. Breyman had just met some fugitives from Baum's detachment, when the Americans, before he had time to order a retreat, fell upon his troops; he made a very valiant

Defeat at Bennington.

[l] So foolishly attached were they to forms of discipline, that in marching through *thickets* they stopped ten times in an hour, *to dress their ranks*. See Stedman, vol. i. p. 334.

[m] Stedman, p. 353.

defence,

defence, but was at last compelled to retire. The loss of the royalists in both battles amounted to six hundred men: this first material check which the king's troops suffered is imputed to the employment of Germans on a service requiring rapid expedition, and to the smallness of their number.

Siege of Stanwix.

Colonel St. Leger invested fort Stanwix, a small fort, defended by seven hundred men. On the 3d of August, being informed that a thousand provincials were marching to its relief, the British leader dispatched sir John Johnson, with a party of regulars and a great number of savages, to lie in ambush in the woods: the stratagem succeeded, the provincials were unexpectedly attacked on all sides by the fire of the British troops, and the tomahawks of the Indians. Having made a very brave resistance, after losing half their number, the remainder were enabled to retreat with some degree of order. Meanwhile the besieged, being apprised that the artillery of their assailants was too light to make any impression on the fort, and being well supplied with provisions, rejected every overture to induce them to surrender. A man belonging to the fort, pretending to be a deserter, came to the British camp, and told St. Leger that Arnold was advancing with two thousand men, and ten pieces of cannon, to protect the fort, and that general Burgoyne's army had been cut to pieces. This account made little impression on the colonel, but produced an immediate effect on the savages, of whom a large party instantly left the camp, and the rest threatened to follow if the British commander would not begin to retreat. St. Leger was compelled to abandon his enterprise, and to retreat precipitately, with the loss of his artillery and stores. The failure of this undertaking so soon after the defeat at Bennington, damped the spirits of the royal army, and elated the Americans. The

St. is raised.

conduct

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conduct of their savage auxiliaries was extremely prejudicial to the British interest. The admonitions of Burgoyne had little more effect on these murderous tribes, than if lectures on humanity had been addressed to the tigers of Hindostan; and, indeed, the expectations of mildness were as reasonable from habitual butchery as from instinctive ferocity: the barbarities of the Indians, like those of their four-footed brethren, were totally indiscriminate; loyalists and revolters, if they came into the power of the savages, experienced the same fate. An instance of cruelty which happened about this time was peculiarly afflicting: Mr. Jones, an officer in the British service, had paid his addresses to the daughter of an American loyalist, a young lady in the bloom of youthful beauty: she listened to his suit, and consented to become his bride. Anxious for her safety, he offered to reward with a barrel of rum any person who should escort her from her father's house to a place where he was himself to meet her, and that very day receive her hand. Two Indians undertook the task, and had conducted her near the appointed spot, when a dispute arose between them which should present the lady to her lover. Both were eager for the reward, and the one, to prevent the other from receiving it, murdered the blooming innocent maiden; and the youth, instead of his beloved bride, found a mangled corpse. This and other instances of atrocity inflamed the American people: the cruelties of the Indians, and the cause in which they were engaged, were associated together, and presented in one view to the alarmed inhabitants. They, whose interest it was to draw forth the militia in support of American independence, strongly expressed their execrations of the army which submitted to accept of Indian aid, and they loudly condemned that government which could call such auxiliaries into a civil contest, as were calculated not to subdue,

subdue, but to exterminate, a people whom they affected to reclaim as subjects. Their cruel mode of warfare, by putting to death, as well the helpless infant and defenceless female, as the resisting armed man, excited an universal spirit of resistance. In conjunction with other circumstances, it impressed on the minds of the inhabitants a general conviction, that a vigorous determined opposition was the only alternative for the preservation of their property, their children and their wives. Could they have indulged the hope of security and protection while they remained peaceably at their homes, they would have found many excuses for declining to assume the profession of soldiers; but when they contrasted the dangers of a manly resistance with those of a passive inaction, they chose the former as the least of two unavoidable evils. All the feeble aid which the royal army received from their Indian auxiliaries was infinitely overbalanced by the odium it brought on their cause, and by that determined spirit of opposition which the dread of savage cruelties excited.[n] In the command of the American army a change took place which proved fatal to the royal interests; general Gates was appointed commander in chief of the northern forces. The British commander having by great industry collected about thirty days provisions and constructed a bridge of boats, on the 14th of September crossed the river, and occupied the heights of Saratoga, about thirty miles from Albany. Thence the army set forward in a southern course; but the march was obstructed by the difficulties of the road which the rains had almost rendered impassable, and retarded by a great train of artillery, which required frequent construction of bridges. On the 19th of September they arrived at Stillwater, where the enemy were encamped; the right wing

Battle with general Gates at Stillwater.

[n] Ramsay, vol. ii. p. 38.

Was

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was commanded by general Burgoyne, and covered by general Fraser, with the grenadiers and light infantry; the left by generals Philips and Reidesel. The enemy attempted to turn the right wing of the king's troops, and attack them in the rear; Fraser with his brigade holding the extreme position on that side, perceived their design, and prevented its execution. Changing their situation, they attacked the British line in front of the right division: the battle began at three o'clock in the afternoon, and continued till after sunset. The right wing only of our army was completely engaged: the twentieth, twenty-first, and sixty-second regiments bore the brunt of the battle with the most intrepid firmness and enterprising courage; they were very hardly pressed, when major-general Philips found means to send artillery through a thick wood, which supported and aided their efforts. The twenty-fourth regiment, with the grenadiers and light infantry, also came forward to assist their fellow-soldiers. The Americans fought with no less coolness, valour, and skill: at last they left the British army in possession of the field: the loss on each side amounted to about six hundred men. Though our troops remained masters of the scene of action, yet the battle of Stillwater was by no means favourable to their ultimate success: they were far advanced in an enemy's country; their numbers were diminishing, without the means of reinforcement; their provisions were sufficient only for a temporary supply; the army of the enemy was daily increasing, and as it grew in force, it became the abler to prevent our troops from successful foraging. The savages shewed an inclination to leave the British, from the time the hopes of plunder were disappointed; and it was apprehended they would become enemies, as well as deserters: a few days after, the Indians actually left the British camp. Burgoyne had advanced in conformity to the minister's plan, in expectation

Distressed situation of Burgoyne's army.

Desertion of the Indians.

expectation of assistance from generals Clinton and Howe. The expected aid had failed; and without it, the project was no longer practicable. Before him was an enemy already strong, and collecting new strength, in a country abounding with difficulties: the only means of saving himself and his troops therefore from destruction appeared to be a retreat. Generals Gates and Arnold, well informed of Burgoyne's embarrassment, projected his interception. For that purpose they sent an expedition under colonel Brown, who, from his activity and knowledge of the country, turned the British rear, arrived at lake George, and surprised and took boats that were conveying provisions to our troops. Burgoyne began his retreat towards Saratoga: his difficulties were accumulating; his army did not exceed five thousand men; their stores were almost exhausted; and a fresh supply being cut off, he was obliged to restrict his soldiers to a reduced allowance. The enemy had augmented their forces, and nearly surrounded him on all sides; it was necessary to dislodge them before it would be possible to return to the lakes. To effect this purpose, on the 7th of October he headed fifteen hundred men himself, accompanied by generals Reidesel, Philips, and Fraser. This body had arrived within half a mile of the enemy's intrenchments, when a furious attack was made by the Americans on the left wing and centre of the royal army. Major Auckland, commanding the grenadiers, sustained their first onset with great resolution; but their numbers soon enabled the enemy to extend their attack along the whole line. The right had not yet been engaged; but the enemy moving round to prevent a retreat, the light infantry and twenty-fourth regiment instantly formed to defeat their purpose. Meanwhile the left wing, nearly overpowered by numbers, attempted to retire, and was on the point of being overwhelmed, when the corps sent to the assistance of the right division, rapidly

Burgoyne retreats.

Battle near Saratoga.

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pidly changing their movement, endeavoured to secure the left from impending destruction, by which timely aid they at last made good their retreat to the camp. The right was also compelled to retire, with the loss of many men and several pieces of cannon, and the Americans attempted to force the intrenchments; on that side the engagement was a long time doubtful, but Arnold being wounded, the provincials were repulsed. On the left wing of the camp, the American attack was more successful: they carried, sword in hand, the lines which were defended by colonel Breyman and the German troops, and also took the baggage, stores, and artillery. In this battle, among the slain were colonel Breyman and general Fraser; and a considerable number of officers were killed or wounded on both sides. During the night, the general, aware that in his present position the enemy would in the morning renew the battle with almost certain success, changed his position with his whole army, and occupied a very strong post. Convinced that nothing less than a decisively successful action could extricate him from his difficulties, the next day, from his advantageous ground, he offered the enemy battle. The provincials, however, were projecting measures much safer to themselves, and no less dangerous to their adversaries. They advanced strong bodies of troops beyond Burgoyne's right, with a view to inclose his army. Burgoyne, perceiving this operation, resolved to hasten his retreat to Saratoga; and accordingly, during that night, began his march. He did not reach Saratoga till the 10th; there he found the passes before him secured by the enemy, the shores of the river lined with troops, and the whole navigation entirely in their power. He attempted to retreat to fort George, to make a rapid march along the western bank of the river, and cross by the ford at fort St. Edwards, but received intelligence that both the fort and road were beset by the

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the enemy. The condition of the British army was now most deplorable: worn down by incessant exertion and obstinate contest, disappointed of expected aid, in their distress deserted by their auxiliaries, compelled to abandon their object without any prospect of a safe retreat, with their numbers reduced from eight thousand to three thousand five hundred, their provision exhausted, surrounded by an army four times their number, and exposed to continual cannonade, fast lessening their before impaired force.[a] This dismal situation they bore with the constancy of British soldiers; they eagerly wished for a battle to extricate themselves, or die in the attempt; but this alternative the enemy would not afford.

Reduced state of the army.

Troops surrounded.

On the 13th of October, Burgoyne, seeing every hope of relief vanished, took an exact account of provisions, and found there was subsistence only for five days. He called a council of war, and that he might obtain the sense of the army as generally as possible, with the higher officers were included the captains. The result was, an unanimous determination to open a treaty with general Gates. That very night, at nine o'clock, a messenger was dispatched to the enemy's camp, and the next morning was appointed for commencing the negociation. The British army, equally incapable of subsisting in its present situation, or making its way to a better, lay entirely at the mercy of the enemy. The terms proffered in those circumstances were very moderate: besides the articles that related to the maintenance and accommodation of the army on its way to Boston, the principal conditions were, that the troops should be allowed to march out of the camp with all the honours of war, to a fixed place where they were to deposit their arms, and to sail from Boston to Europe, on a promise not to serve again in America

Convention with the Americans at Saratoga.

[a] Stedman, Andrews, and Ramsay.

during

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during the present war; the baggage was not to be searched or molested, but private property was to be held sacred; all persons of whatever country were to be included in the capitulation, and the Canadians to be returned to their own country, subject to the conditions of the convention. On this melancholy occasion, general Gates conducted himself with the greatest humanity and generosity, and not only treated the wounded with the most feeling care and kindness, but was so considerately benevolent, that when the British were laying down their arms, he would suffer none of his soldiers to be present at so mortifying an operation.

SUCH was the conclusion of Burgoyne's expedition, from which the most important advantages had been predicted by ministers and their supporters. So untoward an issue in the usual course of human opinions produced charges of erroneous judgment, ill-digested plans, inadequate preparations, and unskilful conduct. The train of artillery, it was said, that Burgoyne carried with him, was superfluous, and retarded movements, the success of which depended on a rapidity that should have given the enemy no time to collect an opposing force. Neither horses nor carriages were provided until the army was ready to take the field; and this circumstance detaining the forces too long at fort Edward, was ultimately one cause of the disaster at Bennington, the prelude of greater misfortunes. After the failure at Bennington and fort Stanwix, it was urged, that Burgoyne ought to have abandoned the project of penetrating to Albany, and by no means to have crossed the Hudson: he should have secured himself at fort Edward, where, according to the co-operation which he received from the south, he might have either advanced, or retreated to Canada. These censures of Burgoyne, if just, rest entirely on his judgment and skill, and thus ultimately fall upon the discernment of the ministers from whom he received

ceived his appointment. There was no charge of neglecting obvious opportunities, remitting personal efforts, relaxing military discipline, or sacrificing professional duty to pleasurable indulgence. If the failure of an expedition proceeded from want of skill in the commander in chief, the obvious question is, why was a person employed, who, neither by any particular act, nor his general character, had discovered sufficient military abilities for conducting so important an undertaking?

State of Ireland.

WHILE the political counsels of England produced war with her colonies, and military operations proved either inefficient or destructive, the state of Ireland was by no means tranquil. The octennial act, as a cotemporary historian observes, was no longer an object of exultation than while it was recent.[p] The great expences attending elections were severely felt; the constant residence of the lord lieutenant, which now first became a part of his duty, gave offence to many, who found their power and influence diminished, and a strong opposition was speedily formed. Government proposed a very considerable addition to the military establishment, and, through the influence of the lord lieutenant, a bill to that effect, after violent contests, was passed into a law: but the opposition was powerful; their arguments making a deep impression on the people, increased the discontents; and the exertions of the anti-ministerial party soon proved successful in the parliament itself.

Question concerning the origination of money-bills.

FROM the settlement of Ireland by king William, money-bills had originated in the privy council, by whom they were proposed to the commons. Agreeably to this usage, in November 1769, ministers framed a bill for a supply, and having introduced it into the house, their opponents reprobated the proposition as trenching on the rights of the national representatives. The court party quoted precedent,

[p] See Adolphus, vol. i. p. 409.

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while their adversaries asserted the principles of the constitution: the popular champions prevailed, and the bill was rejected. To demonstrate that they were actuated by a regard for their rights, and not by parsimony, the commons granted an aid much greater than had been required; instead of a supply for three months, which ministers had proposed, they provided a proportionable amount for two years. The liberality of the grant did not, in the opinion of the viceroy, compensate the deviation from the customary mode. Regarding precedent as law, in a speech to the houses he contended that the procedure had violated the just rights of the crown, and protested against the claim of the commons to the origination of money-bills; but finding that the delegates of the people were not to be swayed by his asseverations contrary to their own judgment and will, Townshend prorogued parliament.

Prorogation of parliament.

THE prorogation of the national council soon after the commencement of its deliberations, and on account of an assertion of constitutional right, rapidly and widely augmented dissatisfaction. The popular leaders employed the recess in increasing their strength, concerting plans, and consolidating efforts. Unity of character exhibited internal evidence, sufficient to evince that the same heads and hearts which administered the affairs of Britain, directed the government of Ireland: in the counsels of rulers were to be seen the general causes which, in other operations, we have been contemplating;—weakness of conduct exemplified in fluctuating and inconsistent measures, and a desultory alternation of precipitate violence and conciliatory attempt. Actuated by resentment, the counsellors of the king deprived of their offices two of the most powerful favourites of the people, Lord Shannon and Mr. Ponsonby, and thereby drove them to the anti-ministerial side. During the whole year 1770, the parliament did not meet, and the public dissatisfaction

Character of ministerial policy towards Ireland.

Long recess.

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tion continued to ferment. Early in the following year, government essayed a conciliatory experiment: parliament was assembled, and addressed by the viceroy in a mild and soothing speech. Measures, he said, were adopted and carried into execution for promoting the manufactures and trade of the kingdom; through the economy of government no new aids would be required, and every thing augured prosperity to Ireland, if harmony in the senate permitted them to devise the best measures for stimulating the industry of the people. This attempt to atone by general professions of good-will for specific violence, was not successful; no mention being made of the prorogation of parliament and its cause, the source of popular discontent still remained. The vehement ardour of the Irish character burst forth in outrage against government and its adherents: a mob armed with clubs and cutlasses surrounded the parliament house, attempted to impose an oath upon ministerial members, and proceeded to such violence as required military force to repress. In parliament, opposition was powerful and strenuous; instead of agreeing to the address, they proposed an amendment, reprobating the general system of administration, and desiring the recal of the lord lieutenant. Though this proposition was negatived, yet the anti-ministerial party was formidable by rank and talents, and supported by the voice of the country; a supply of money not being wanted, the chief subject of contention was dormant, and the session was short and unimportant. During the recess the discontents continued to glow, while popular writers fanned the flame, and the Irish became more violently incensed against the ministerial party, especially the lord lieutenant. Towards the end of the year, parliament was again assembled. The viceroy opened it with a speech, which was severely reprobated in both houses. In the peers, the duke of Leinster and lord Moira very strongly

Violence against government.

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represented the distressed and discontented state of the country, and imputed it to the viceroy. The same arguments were supported in the house of commons with such force and effect, that government carried the address by a majority of only five.

Popular party is victorious in parliament.

On the grand question of a money-bill, the popular party proved victorious. The commons framed a proposition of supply, which was adopted by the lords. The lord lieutenant sent the bill to England, whence it was returned with three material alterations by the British council. The commons of Ireland saw that the amendments were in themselves expedient, but indignantly reprobated their origination. A debate ensued, of that animated eloquence which generous breasts pour out on questions concerning their freedom. Operating on the spirit of patriotism, the popular speeches were so impressive, that in favour of ministry there was not even a division; and thus the vigorous efforts of the votaries of liberty still farther approximated the constitution of Ireland to the constitution of Britain, by ascertaining that the contributions of the people must originate with the commissioners chosen by the people. Ireland had long been the source of donatives to the creatures of administration not only connected with herself but belonging to Britain; and many pensions on the Irish establishment were bestowed on persons from whom no benefit appeared to the Irish themselves to have accrued to their country. The reason frequently alleged by government for such grants was, that the receivers or their connexions had been beneficial to the whole empire, and consequently to Ireland as well as every other part. The Irish patriots, in a great number of instances, denied this allegation, and affirmed that a large portion of the sums paid for Irish pensions was without any adequate advantage to their island, or indeed to Britain. This objection they in a certain degree extended to placemen; various holders of nominal

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nominal offices with real salaries, receiving their emoluments from Ireland, resided in England; the popular advocates alleged that persons so circumstanced were mere pensioners under another name. About this time the customs and excise were placed under different boards, in consequence of which there was a great increase of revenue officers. Opposition proposed a resolution for expressing a disapprobation of the change: objecting to this motion, ministers contended that the alteration was extremely beneficial in preventing frauds and depredations. Their adversaries replied, that many of the persons who were nominated officers under these boards and received salaries, actually resided in England, and contended that persons resident in Britain could not prevent contraband trade in Ireland.[q] These arguments appearing to a majority not without weight, the resolution was carried, and though inefficient as to any legislative purpose, manifested the disposition of the commons to confine grants within the bounds of utility, without allowing reins to ministerial largesses. While patriotic senators endeavoured to free the country from useless incumbrances, ignorant barbarians carried dissatisfaction to turbulent outrage: a banditti, associating under the name of *hearts of steel*, perpetrated horrid atrocities, and alarmed the whole country during many months. The intervention of the military strength restrained, but did not totally suppress desperadoes.

Lord Townshend is recalled and succeeded by lord Harcourt.

Effects of the American contest on Ireland.

Such was the state of Ireland in October 1772, when lord Townshend was recalled, and lord Harcourt appointed viceroy. This nobleman was individually very popular among the Irish; but the discontents still prevailed, and when the contest with the colonies came to a crisis, Irish dissatisfaction raged with augmented fury. The disputes between the popular party and administration in

[q] See Irish Parliamentary Reports.

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Ireland, naturally excited in the sister kingdom a very warm interest concerning their American fellow-subjects, whom the discontented in Ireland regarded as labouring under a similar oppression with the grievances of which they themselves complained. They considered the British government proposing to render both Ireland and America mere provinces of Britain. These sentiments were eagerly promoted by American agents, who represented Ireland as toiling, that England might wallow in luxury; the labours and manufactures of Ireland, like those of the silk-worm, were of little moment to herself, and served only to decorate the idle. Such suggestions exactly coinciding with their own notions, deeply impressed the Irish, who observed the various schemes of American policy, military efforts, and turns of fortune, with an anxiety almost sympathetic: of the people of all ranks, a much greater proportion in Ireland were friendly to the colonies than in England. Great numbers appeared ripe for even imitating the example of the revolted provinces; but the wisdom of Harcourt avoiding the infatuation of British ministers, employed moderation without timidity, and firmness unmixed with violence. Proceeding in a course directly opposite to that which lord North and his co-adjutors followed, he produced totally contrary effects; while they lost America, he saved Ireland. Dissatisfaction indeed continued, but from the time of his government the object of the disaffected was not separation from Britain, but a participation of benefits through a closer connexion. At the period to which the history has reached, the principal subject of complaint among the Irish was the restrictions under which their manufactures and trade laboured, from the illiberal and impolitic system of British monopoly.[r]

Wise government of Harcourt.

[r] See Wealth of Nations, passim.

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State of Scotland.

DURING the first seventeen years of the present reign, Scotland made considerable advances in various departments of industry and improvement. Her progress, however, was such as rather to afford materials of reflection to the philosophical contemplator of general results, than remarkable events for the recording pen of the historian. The acquirements of Scotland doubtless were originally owing to the ability, virtue, and enterprise of her people, but favourable incidents and measures tended powerfully to call her energies into effectual action. The prime source of the benefits which poured upon Scotland during the later periods of the eighteenth century, was the union; hence arose her commerce and her manufactures, or rather her access to commerce, and excitement to manufactures. Scotland was not locally more distant from the scenes of valuable trade than England, but she wanted naval force to protect her traffic, and security to her nautical enterprise she derived from the navy of England. When the interests of the poorer country were identified with the interests of the richer, the former became opulent through her characteristic industry and perseverance, while her exertions were beneficial to her partner as well as herself. The able and skilful capitalist, and the able and skilful adventurer, thus acting in concert, promoted reciprocal and mutual benefit. If participation of English trade brought riches to Glasgow and Edinburgh, Perth and Dundee, Montrose and Aberdeen, the demands of these cities, and the appendant towns and districts, enlarged the call for the productive labour of England; and the advantages were interchanged by action and re-action. Time must elapse before, in a new system, beneficial causes produce a correspondent effect: the union very early evinced its benefits to the Scottish nation[a]; and during the

Effects of the union.

[a] Insomuch that in the rebellion 1715, its vehement opponents, the Jacobites, stipulated with the Pretender adherence to the union, if he should prove successful. See Smollet and Cunningham.

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reign of George I. and II. Scotland considerably rose in commerce and opulence; political dissensions however impeded her advancement, and much of that ardour and perseverance which have since been exercised in enterprises profitable and honourable to individuals and the community, were then suspended by contest, or wasted in a hopeless cause. Suspected, if not convicted, of adhering to principles and interests hostile to liberty and the English constitution, Scotchmen were regarded with a jealous eye, and avenues which political establishment had opened to profit and honour were obstructed by local prejudice. The ruin of rebel hopes proved eventually advantageous to the great body of Scotchmen, and the impediments to honourable ambition and emolument were removed. The comprehensive policy of the present sovereign regarded neither place of nativity nor political party; the empire increasing in commerce, the means of opulence and aggrandisement, Scotchmen as well as Englishmen came in for their share; wealth flowed on that recently poor country, not only from her own mercantile residents, but from bold, keen, and assiduous adventurers whom she sent to distant regions of the globe. The proceeds of Hindostan manufactures afforded capitals that stimulated the industry of Paisley: the produce of the Ghauts cultivated the Grampians; and the enriching inundations of the Ganges fertilized the banks of the Tay. While such an opening to Scottish adventure enlarged the capital that nurses the useful and lucrative arts, other consequences resulting from the union were especially favourable to Scottish agriculture. This momentous treaty paved the way[t] for the abolition of the heritable jurisdictions, which formerly enabled Scottish lords

Of the discomfiture of the house of Stuart.

Access of Scots to the improved sources of English greatness.

Abolition of heritable jurisdictions.

[t] The destruction of feudal vassalage never could have happened had Scotland retained a separate legislature; because most of the members of that parliament, from vanity, pride, and ambition, would have opposed a measure which reduced them from being petty princes on their own estates, to an equal submission to the laws with their vassals and even poorest tenants.

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to exercise arbitary power within their own districts, and to be separate tyrants, instead of being an order of men enjoying certain privileges for the good of the state. CHAP. XIX. 1777.

THIS emendation was extremely beneficial to agriculture: formerly the vassals had bestowed a servile attendance on their chieftain, at whose call they had been obliged to repair to his castle, and neglect their own private affairs. In that dependent state they had estimated themselves and each other according to their place in the favour of their liege lord, and their chief occupation had been to court his good graces by being lounging retainers about his mansion. Emancipated from thraldom, they attended to the cultivation of their lands: the generous pride of personal independence succeeded the contemptible vanity which had been gratified by second-hand importance. To independence the surest road was industry; the subject for the employment of their industry was their hitherto neglected land: to their inferiors they communicated a portion of that independence which they possessed and began to enjoy; they let their farms upon long leases, and dispensed with the most humiliating services; by the security of their tenures the tenants were stimulated to unusual industry. With this deliverance from feudal servitude, no doubt, the increase of manufactures and commerce very powerfully co-operated to the promotion of agriculture: agriculture, manufactures, and commerce, mutually and reciprocally advanced each other, and conjointly tended to form that middling class, which, though not before existing in Scotland, has in England proved the most efficacious supporters of our laws, liberty, and constitution. As, however, the operation of political causes is generally gradual, the progress of husbandry was not hitherto universal in Scotland; in the lowland districts it had made such considerable

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1777. State of the highlands.

able advances as to equal most counties in England. In the highland frontiers, gentlemen were beginning to know the use of fertilizing composts adapted to the nature of the soil and climate, and by means of these to establish a regular rotation of crops; but opinion and usage surviving institution, the encouragement to farmers was in those districts inadequate. The tenements were too small to admit an accumulation of capital sufficient for the purposes of improvement; and few leases being granted, the precarious dependence of the tenure prevented every expenditure that was not absolutely necessary for the productiveness of a single year. Some landed proprietors, however, among the vallies of the Grampians exercised a liberal and wise policy in the allotment of their farms, by letting such quantities of land as to admit the full employment of the tenant's skill, and granting leases which stimulated his industry. The beneficial effects which accrued to such judicious landlords influenced others, and the prospect of agricultural improvement in those districts was favourable. A succession of cold seasons some years before had damped the spirit of agricultural improvement; but these terminated in 1773[u], and were followed by fruitful seasons. In more remote and barren parts of the highlands,

[u] Here I think it will not be foreign to our purpose to mention a theory which was formed by the peasants of Athol, a district of Perthshire, concerning the severe years, the natural cause of their continuance and termination, as it illustrates the character and notions of our fellow-subjects in an extensive and populous district. Acute and intelligent, with their time not fully occupied by rural business, the highlanders are much addicted to speculation, especially on physical subjects, which make a forcible impression on their senses and observation. The cold seasons that had sterilized their fields were naturally the chief topics of their discourse. Desirous of ascertaining the cause, in the want of facts, like much deeper philosophers, they had recourse to conjecture. The favourite hypothesis was, that Scotland had revolved within the influence of a frozen star, and would become colder and colder as long as this attraction lasted. In the year 1774, the king's astronomer, Mr. Maskelyne, came to that country with the view of making observations from one of the highest mountains; Shichallion was accordingly chosen. The theorists apprehended his object was to melt the frozen star; the season proved at first extremely rainy, which they imputed to the dissolution of the frost, but it afterwards became warm and genial, which they attributed to the complete success of the experiment. Such was their belief at the time, and long after, as I myself know; and I have heard that among the old it continues to this day.

during

during the years of scarcity, extreme indigence prevailed, and the evils were dreadfully aggravated by subordinate oppression. Though dissolved by law, the feudal system here continued in fact, without the patriarchal sentiments which had rendered the chieftain and his retainers one large family. The proprietors having assigned their lands in large allotments to *tacksmen*, who, both in situation and conduct, bore a striking resemblance to the *middle-men* who are so oppressive to the Irish peasantry, great emigrations took place. For improving the state of the people, the only effectual means of repressing this spirit, attempts were made to stimulate the inhabitants of the coasts to seek from the ocean those riches, which the coldness of the climate and the barrenness of the soil denied to their industrious efforts. Various projects were formed for promoting the fisheries, but hitherto with very partial success. The influence of the union began to extend even to the remote highlands: gentlemen in the army or other professions became conversant with English sentiments and principles, learned a respect for the rights and happiness of their fellow-men, and perceived that by encouraging activity and enterprise among their tenants, they would eventually render them more productive. But this spirit was not yet become general; many of the lower proprietors, as well as of the higher class, whose range of observation, thought, and sentiment was narrowed within the circle of their domains, preferred lordly supremacy over humble dependents, to all the benefits accruing to a landlord from an independent cultivator of his lands on the terms of fair reciprocity between man and man. Light and civilization required to be much more perfectly diffused, before the energies of the highlanders were employed to the degree of advantage of which their combined talents, resolution, and enterprise are susceptible.

Ecclesiastical disputes agitate Scotland.

THE lower ranks in Scotland have a greater proportion of knowledge, than corresponding classes in many

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many other countries. One great branch of the study even of peasants and mechanics, (strange to say,) is metaphysical divinity. The equalizing spirit of Presbyterianism, in matters of faith, pays much less regard to human authority, than is bestowed by the votaries of hierarchial establishments; and nothing is more common than to find a day-labourer contending with the parson of the parish concerning interpretations of scripture and points of orthodoxy. Connected with this anxious care for the doctrines of the church, is a no less vigilant watchfulness for her government. While England was so much occupied by Wilkes and the colonies, Scotland, without being regardless of these, was chiefly agitated by questions concerning the source of clerical appointments. The law of the land established patronage, either of the crown, public bodies, or individuals: a great body in the church, headed by Robertson, supported the continuance of the law as it stood; a smaller but considerable body in the church, supported by numerous votaries among the people, desired an abolition of the law of patronage; and until that should be effected, such a modification in its execution as would eventually amount to popular election.* After the re-establishment of the law of patronage in 1712, the clergy found the people extremely averse to the revived mode, which they considered as a remnant of episcopacy, and even of popery; and many of their own body entertained a similar opinion. It was a maxim in presbyterian government, from John Knox downwards, that a presentee, although perfectly well qualified, and unexceptionable in life and doctrine, was nevertheless inadmissible to his clerical office, till the concurrence of the people who were to be under his ministry, had been regularly ascertained. The form of expressing this concurrence was by the

* See Dr. Hill's paper on this subject, as quoted by Mr. Stuart in his life of Robertson, p. 159, &c. which exhibits a very masterly view of this question, but in more detail than it would suit the purposes of this history to transcribe.

subscription of a paper termed a *call*, and many of the clergy would refuse the lawful presentee, unless he had in his favour this expression of parochial approbation; thus the mode intended and ordained by the law of the land was transgressed, and the people were gratified by a violation of the statute. During the first years of the present reign this subject was very strongly debated under two views, judicial process in the present circumstances, and the expediency of application for a total repeal of the law. On the first question which came before almost every meeting of the general assembly in some case of appeal, the supporters of *calls* argued from the maxims of presbyterianism, and repeated practice, which they endeavoured to establish as usage and common law; and from the general spirit of liberty. The advocates of patronage argued from the express statute, which every judge is bound to follow, whatever may be his own private or individual maxims or opinions; and contended that practice never can be pleaded in opposition to positive law. A great majority of the people, as might be naturally expected, adhered to those clergy who proposed to allow such weight to popular suffrage, and the clerical opponents of patronage were as a body the chief favourites of the multitude. Among them there were many individuals of respectable talents, and some of transcendent abilities[y]; but the great mass of clerical erudition, and the brightest luminaries of literary genius, were on the side of existing law. Against particular exercises, as well as the general principle of patronage, an outcry was raised, which disturbed Scotland much longer than the Middlesex election agitated England. In 1766, the leaders of the popular party proposed an application to the legislature for the abolition of patronage; but after a very able debate, their mo-

[y] Such as Drs. Erskine and Webster; but, beyond all, Dr. Dick. See Stuart's Life of Robertson.

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tion was rejected. From that time no regular attempt was made to change the law, although on every judicial question within its operation it continued to be reprobated by the votaries of popular election.

Literature of Scotland.

Philosophy.

SCOTLAND, during this period, was peculiarly distinguished for literary effort. In the preceding year[x] died David Hume, whose writings must occupy such an important share in a history of the learning of the eighteenth century. As a profound and comprehensive philosopher, Hume had few equals. The powers of his understanding were extraordinary in natural acuteness and strength, and sharpened and invigorated by assiduous exercise; his knowledge was extensive, accurate, and multifarious; his faculty of communication was proportioned to his talents and acquisitions; his language is plain, easy, varying with the subject, frequently elegant, and always strong, without any apparent effort. Such intellectual abilities, however, even though accompanied by integrity and benevolence, were not uniformly directed to the real benefit of mankind. With valuable good that accrued from this sage, there was mixed an alloy of evil. His enmity to the religion of his country was pernicious in proportion to the ingenuity of his sophistry, and the extent of his fame. His *Treatise upon Human Nature*, from false principles, by subtle system of inferences, endeavoured to establish conclusions contradictory to common sense, and rarely has greater genius been exerted in discovering important and beneficial truths, than are here exercised to impress extravagant absurdities; seldom has MIND more powerfully displayed its energies than in trying to disprove its own existence.[a] Wild and visionary as the system is, yet there are many observations of the highest value; and the author's mode,

[x] August 1776.

[a] See Hume's theory of ideas and impressions, *Treatise of Human Nature.*

together

together with his example, stimulated readers to a degree of intellectual exercise which strengthened their understandings; the examination of false or erroneous subtlety eventually facilitated the attainment of truth. The publication of these notions was moreover of signal service to the science of pneumatology, in the answers which they called forth. Of these the most distinguished were Beattie's Essay upon Truth; which, in a popular, animated, and impressive manner, expatiated on the wild theories that Hume supported; and Reid's Inquiry into the Human Mind on the Principles of Common Sense. By rousing the investigating powers of this very profound philosopher, Mr. Hume has been the means of enlarging man's knowledge of his own faculties. The infidelity of Hume, mischievous as it is in itself, has incited the friends of religion to add new muniments to the Christian faith. The Essay on Miracles, and the Natural History of Religion, produced from the ability and learning both of Scotland[b], and England[c] answers which constitute valuable additions to rational theology; and thus the aberrations of genius, corrected by sound reasoning and wisdom, serve to promote the cause of truth. The impression, however, of the Humean infidelity was by no means effaced: so renowned an author gave a currency to his opinions which they long retained, and at the period before us they were extremely prevalent among youthful men of letters. The moral system of the philosopher, though far less objectionable than his religion, is not without its defects; probably less in the intention of the author, than the interpretation which his principles may admit. Identifying virtue with utility, and not exactly marking the boundaries of that utility which he denominates virtuous, he has misled inferior[d] theorists into very absurd and pernicious

[b] Dr. Campbell.

[c] Dr. Hurd.

[d] See Godwin's Political Justice, passim.

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nicious conclusions. His scheme implicitly and indiscriminately adopted, tends to render indefinite expediency, private interest, and state policy, the springs of human conduct, instead of conscience and religion; but though this treatise cannot be admitted, at least by the votaries of revealed or even natural theology, as a just and salutary system of morals, the illustrations and incidental remarks contain a portion of wisdom, which, apart from his other works, would be sufficient to evince the profound ability of the author. The politics of Hume are differently estimated according to the previous opinions which their examiners have formed. One observation is obvious, that though he verges to the notions of the tories concerning government, he inculcates his doctrine on a very different principle. Far from having recourse to divine right, he only carries his moral doctrine of expediency to affairs of state; and infers, that in the usual course of conduct, it is safer for the individual and society to acquiesce in partial abuses than to attempt correction by force, and this is the whole extent of Hume's toryism; so that, according to him, compliance or refusal comes to be a mere question of prudence in the existing case.[e]

History.

Writings contrary to the observation and experience of mankind are rarely lasting. The metaphysical paradoxes of this extraordinary man are not the foundation of his permanent fame; the work which consecrates Hume to immortality is that monument of his genius, which, leaving speculative subtlety, descends to be the vehicle of practical wisdom. His history is probably the first composition of that important species which is to be found in ancient or modern times; not less penetrating and profound than Tacitus and Thucydides, he has chosen a subject that admitted of greater ex-

[e] Hence Dr. Johnson calls Hume a tory by accident, and not from principle. See Boswell.

tent

tent and variety than either of these illustrious writers; he has exhibited man as progressively advancing from barbarism and ignorance to civilization and knowledge; and in all these situations, employments, and exertions, which develope his intellectual and moral character; the narrative is interesting and deeply engages the reader; the materials are arranged with the clearness of a mind that surveyed every part and the whole of its subject; the civil, ecclesiastical, political, and literary features of the times are exactly and strongly delineated: throughout this grand production, we perceive the critic of combined taste and science, the philosopher, the politician, the successful investigator and exhibitor of active man. Every friend to christianity must regret that there is, in such an estimable work, a considerable portion of matter which is really inimical to religion, though professedly intended to expose to ridicule, contempt, and censure, some of the superstitions that assumed its name; but the sceptical impressions that render such strictures dangerous, are only temporary; whereas the benefit of the illustrious lessons of wisdom will endure as long as the language that conveys them is known, and as judgment exists to appreciate excellence. With the Corypheus of Scottish literature many others were nearly cotemporary. Having founded his fame in the former reign, Robertson in the present, raised a splendid superstructure; the historian of Charles V. traced the connexion between ancient and modern man, in the old world; then winging his flight to the new, he exhibited the spectacle of savage life in a more just and striking form than is elsewhere to be found. On nations in the cradle of society he bestowed a patient investigation and able deduction in exhibiting the wants and character of their infant state; by unity of design, skilful selection, and masterly execution, he presented an exact, glowing, and interesting picture; he

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he bestowed on his story and characters almost dramatic animation; while the impressive description of the poet did not preclude the truth of the historian, or the reflection of the philosopher. In his inquiries into the bodily constitution of the Americans, the qualities of their minds; their domestic, civil, and political state and institutions; their arts, their religion, their manners, and their customs; he, instead of imputing their character and condition to physical nature, with vigorous sense and sound philosophy, ascribes them to moral and political causes. The success of Hume and of Robertson stimulated historical adventure in the southern part of the kingdom, and contributed to rouse a writer fitted for transmitting to posterity the Decline and Fall of the Roman empire. The first volumes excited a curiosity and expectation which it required historical powers of the highest kind to gratify in the subsequent efforts. These illustrious writers chose some specific, though grand portion of story, as the subject of their exhibition of human nature. Fergusson, presented man under a more general view; *The Essay on civil Society* traced the species through all the varieties, progression, and declension of the social state; from the first perceptions of sense to the general conclusions of science; the earliest operations of sentiment and reason to the heights of moral and political knowledge; and following barbarity through various stages, conducted it to refinement; until politeness degenerated into enervation, and effeminate vice destroyed what manly virtue had acquired. Smith unfolded the philosophy of political economy, and promulgated the rules and conduct by which individuals and nations might arrive at opulence, and the various species of productive industry might be exerted with the greatest success. Blair gave to the public the first volume of sermons which decorated christian morality with all the charms of refined taste

Political economy.

Eloquence.

and polished composition, and by persuasive eloquence impressed beneficial truth. Home introduced the tragic muse into the Scottish woods, rendered the banks of the Carron as interesting as the shores of the Adriatic, and engaged the heart for sir Malcolm's Matilda as if she had been Priuli's Belvidera. These were among the most distinguished efforts in philosophy, history, and poetry, by which Scotland aspired at literary fame, not unworthy of the partner with whom she was now happily united, whose liberal munificence, springing from the energy of freedom, affords to every species of beneficial talents the strongest motives for exertion and display.

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Poetry.

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Conduct of France and Spain.—Changing sentiments of the French.—Meeting of parliament.—King's speech declares the necessity of continuing the war.—Debates on the address.—Inquiries into the state of the nation.—Lord Chatham takes an active part in parliament.—Renewal of the law for detaining suspected persons.—Mr. Fox's grand plan of inquiry into the state of the nation — allowed under modifications.—News arrives of Burgoyne's fate.—Different conduct of lord North and lord George Germaine.—Operations of ministers during the recess.— Voluntary contributions for levying new regiments.— Propriety of these discussed in parliament.— Mr. Fox's inquiry into the state of the nation.— Mr. Burke's motion respecting the employment of Indians.— Lord North's plan of negociation witht he colonies.— Commissioners appointed.— Hostile intimation from France.— Mr. Fox's proposed inquiry thereon into the state of the navy.— His inquiry into the plan and preparations of the Canada expedition.— Schism in opposition on the question of American independence.— Discussion on the subject in the house of peers.— Last efforts of lord Chatham.— His illness, death, and character.— Tributes of respect and gratitude paid to his memory by parliament.— Application to parliament in favour of Ireland.— Consideration postponed.— Repeal of king William's act respecting Roman Catholics.— Supplies.— Ways and means, and taxes.— Motion for an inquiry respecting expenditure — rejected.— Dignified speech of his majesty at the close of the session.

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1777. Conduct of France and Spain.

WHILE Britain was engaged in so momentous a contest, her European neighbours anxiously watched operations and events. France and Spain opened their ports to American ships so early as 1776, and treated the colonists in every respect as an independent people. The laws for prohibiting commerce between Britain and her opponents, ultimately punished only Britain herself; precluded from

from trade with the parent state, the provincials supplied the deficiency from the markets of our rivals. Not contented with reaping the benefit of the new traffic, the great Bourbon kingdoms abetted the revolters in their hostilities; their privateers were openly received, and their prizes publicly sold, in the French and Spanish ports. The French furnished the provincials with artillery and all kinds of warlike stores; their engineers and officers carried skill and discipline to the American armies. Two principles prompted our potent neighbours to assist the revolted colonies; the ancient spirit of rivalry determined the court, and the modern sentiments of liberty instigated the people. The literary efforts in the reign of Louis XIV. had been chiefly employed on works of fancy and taste, or of physical research, but now began to take a different direction, and to investigate theological and political philosophy. It required little penetration to perceive, that both the ecclesiastical and civil establishments of France were extremely defective; that they nourished superstition instead of true religion, and sought the gratification of the court instead of the welfare of the people. Having discovered these imperfections, many now ran into the contrary extreme: Voltaire, D'Alembert, Helvetius, and, above all, Rousseau, gave the tone to fashionable literature: great numbers of the nobility and gentry became deists and republicans; and as the friends of a commonwealth, they were easily induced to favour the revolters from a monarchical government. Mild, gentle, and indolent, if left to himself, the king would have been little inclined to hostilities; but those who had the greatest influence with him were of a very different character: his queen, Mary Antoniette of Austria, having the enterprising spirit of her mother, was desirous of promoting the glory and power of the crown to which she was affianced, and humbling its rival. The duke de Choiseul, always an enemy to the enterprizing

Changing sentiments of the French.

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terprizing rival of France, eagerly promoted the cause of the Americans against England. Sartine, the naval minister, hoped that a war with England, when so much of her strength was employed against her late subjects, would attain his favourite object, the exaltation of the French, and the depression of the British navy. These dispositions were promoted by the American ambassadors; first, partially by Messrs. Silas Dean and Arthur Lee, and afterwards more effectually and completely by the illustrious Franklin. Having reached the highest distinctions as a natural philosopher, this sage eclipsed the glory of his physical theories by his political practice: patriotically devoted to his native country, he was warmly attached to the British interest, while he considered it as compatible with the welfare of America. He had sojourned many years in the metropolis, and from his extraordinary talents was connected with able men of all ranks: he strenuously deprecated the measures of government, and uniformly foretold that the consequences would be fatal. Finding the proceedings of administration daily more hostile to the colonies, and that no petitions would be received or regarded, he withdrew, to assist his native land, preparing for war, which he now deemed unavoidable. He encouraged her efforts, increased her resources, and presided in arranging her plans and forming her government. Having employed his inventive genius and profound wisdom in providing the means of internal security to his country, he next undertook to procure her the most useful foreign assistance. Arrived in Paris, Franklin was courted by all ranks as the philosopher, the politician, the enemy of England, and the friend of liberty. He succeeded in determining the court of France to a war apparently pregnant with discomfiture and distress to Britain, but destined eventually to recoil on the aggressor. The state of France was at this time favourable to financial resources: in

in 1776, M. Neckar being placed at the head of the treasury, by his skill and industry so much reduced the national expenditure and improved the revenue, that the king saw himself in a condition to encounter England without subjecting his people to new taxes. Great warlike preparations were carried on during the year 1777; but, as the prophetic wisdom of Chatham had foretold, France continued to abstain from actual hostility, until the event of the contest with the colonies should be ascertained. Thoroughly informed of the mighty force which Britain was employing in America, from her experience of British valour and conduct she could not reasonably anticipate the ineffectual result of partial success, or the decisive completion of disaster. The hopes of England, she knew from the late campaign, had been extremely sanguine; but they had in no quarter been fulfilled, and in one had entirely been blasted.

THE calamity of Saratoga finally decided the counsels of France; the moment of humiliation and debasement was chosen by the court of Versailles to give a fatal blow to the formidable power of her rival. Spain was no less favourable to the cause of the Americans; but harassed and fatigued by her wars with the barbarians of Africa, though as prone to hostilities with England as the elder branch of the Bourbons, she was not equally prepared for immediate commencement.

Meeting of parliament.

PARLIAMENT met the 20th of November; at that time intelligence had not been received of the disastrous fate of Burgoyne's expedition, and the progressive advantages of general Howe, with the force under his command, justified the expectation of much more signal and important successes, than those that were actually attained, when the general, instead of pursuing Washington, closed the campaign in the dissipation of Philadelphia. His majesty's speech spoke hope and confidence. Having

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1777. The king's speech declares the necessity of continuing the war.

afforded his servants the means of victory, the king concluded that they would be employed with [a] effect. The powers (he said) committed by parliament to the crown had been faithfully exerted; and he trusted, that the conduct and courage of the officers, with the spirit and intrepidity of the soldiers, would be attended with important success. Persuaded that both houses would see the necessity of preparing for such further operations as the contingencies of the war and the obstinacy of the rebels might render expedient, his majesty was for that purpose pursuing the proper measures for keeping the land-forces complete to their present establishments; if he should have occasion to increase them, a reliance was placed on the zeal and public spirit of parliament to enable him to make the requisite augmentation. Although repeated assurances were received of the pacific disposition of foreign powers, yet, as the armaments in the ports of France and Spain were continued, he judged it advisable to make a considerable addition to our naval force; it being equally the determined resolution of the king not to disturb the peace of Europe, and to be a faithful guardian of the honour of his crown, and the rights of his people. He informed the commons, that the various services which had been mentioned would unavoidably require large supplies; and assured them that nothing could relieve his mind from the concern which it felt for the burdens imposed on his subjects, but a conviction that they were absolutely necessary for their honour and safety. His majesty was resolved to pursue the measures in which they were now engaged for the re-establishment of constitutional subordination, and still hoped that the deluded multitude would return to their duty. The restoration of peace, order, and confidence, to his American colonies, he would consider

[a] See State Papers, 1777.

as

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is the greatest happiness of his life, and the chief glory of his reign. The addresses, as usual, echoed the speech; and their supporters not only justified the measures of government, but expatiated on the *beneficial consequences* which they had produced, and on the flourishing state of public affairs. The opponents of ministers proposed an amendment, requesting his majesty to adopt some measures to accommodate the differences with America; and recommending a cessation of all hostilities, in order to effectuate so desirable a purpose. We were now, they said, in a much worse situation than when we began the war; fifty thousand land forces, a hundred ships of war, and thirty millions of increased debt, had not advanced the attainment of our object. Ministers had asserted that we were fighting *for a revenue*, and thus had deluded the country gentlemen and others into an approval of their system: was the accumulation of mortgages the means of meliorating income?[b] The ministerial assertions concerning the prosperity of the nation were totally unfounded in truth. The loss of our American trade was in itself such a diminution of opulence and strength, as must have severely and visibly affected the greatest and wealthiest state that ever existed; but when to this was added the consequent ruin brought on our West India islands, the annihilation of our Mediterranean, African, and Levant commerce, with the failure of our fisheries, arising from the same cause, could our circumstances be justly said to be flourishing? The depreciation of landed estates, the rise of interest, the fall of stocks, and the multiplicity of bankruptcies, were barometers which plainly indicated the commercial and political fall of British prosperity. Were these the documents from which ministers could evince the truth of their position? If such already were the

Debates on the address.

[b] See Parliamentary Debates, 1777.

consequences

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consequences of the contest with our colonies only, what were we to expect when the house of Bourbon contributed its combined strength and resources? Let parliament reflect on the situation to which they had brought the country by their support of ministerial counsels, and change a system so often demonstrated to be pernicious, but of which the mischiefs had far exceeded the predictions of warning wisdom. The earl of Chatham took a very active share in adducing and supporting these arguments; and whereas ministers insisted that both the honour and interest of Great Britain required perseverance, he denied that it was truly honourable to persist in a hopeless undertaking, or advantageous to seek an impracticable object by destructive means. Such was the reasoning by which the celebrated orators and statesmen of opposition simplified and exhibited the state of the country and the conduct of administration, in order to shew that, to recover our former greatness, it was necessary to abandon those measures by which our distresses had been incurred. They were, however, unavailing; the proposed amendments were rejected, and the addresses carried by considerable majorities, though not so great as those which had voted with the minister at the commencement of the war. In the house of commons especially, the country gentlemen began to perceive, that the promises of American revenue to relieve them from their burdens, were so far from being realised, that the imposts were rapidly accumulating: they indeed did not vote against ministry, but were very cold in their support.

Lord Chatham takes an active part in parliament.

Renewal of the law for detaining suspected persons.

One of the first acts of the session was a renewal of the law for detaining suspected persons. In discussing this proposition, the opponents of administration contended, that as its principle was unconstitu-

* See Speeches of Fox, Burke, and Chatham, with others, in the debate.

tional,

tional, so its operation had been found to be useless: in fact, no occasion had occurred for carrying it into effect. Ministers argued, that its cause, the American rebellion, still continued, and thereby rendered its renewal necessary; it had been originally intended less to punish, than to prevent treason. The circumstance from which opposition endeavoured to demonstrate its uselessness, really arose from its preventive efficacy: disaffected men were by the fears of this law restrained from acting according to their dispositions, by abetting and cherishing revolt. The law was renewed. From the debate with which the session commenced to the Christmas recess, the great object of opposition was inquiry into the state of the nation. After several incidental and prelusive debates, the conduct of this momentous question was undertaken by the comprehensive genius of Mr. Fox. The penetrating and expansive understanding of this extraordinary man conceived and proposed a plan adequate to the magnitude of the object. "It was "useless (he said) to waste time in vain declamation; "let us establish general facts by an accurate in- "duction of particulars. The great question con- "cerning the propriety of perseverance in the "American war, depends on the experience which "we already possess, and a calculation of the "means which remain to the nation for the attain- "ment of this favourite object." The principal premises of his projected investigation he reduced to the following general heads: 1st, the expences of the war, and the resources which the nation possessed to raise the supplies necessary for its continuance; 2dly, the loss of men from that war; 3dly, the situation of trade, both with respect to America and the foreign markets; 4thly, the present condition of the war, the hopes that might be rightly entertained from its continuance, the conduct and measures of the present administration,

Mr. Fox moves an inquiry into the state of the nation,

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tion, the means of obtaining a lasting peace, and our present state with regard to foreign powers; 5thly, what progress the commissioners had made, in consequence of the powers with which they were entrusted for the purpose of bringing about a peace between Great Britain and her colonies. These inquiries would include a great variety of questions, and would demand the production of a multiplicity of documents. If, he said, on fully exploring our situation, it should appear dangerous and disgraceful, and to have arisen from the misconduct of ministers, a new set must be necessarily appointed; but if, on the other hand, the state of the country be flourishing and glorious, as its advantages and splendor are confessedly owing to the present ministers, they must be supported. By inquiry only can it be ascertained what our condition is, and how far their conduct has been wise or foolish. The more complete the communication of documents may be, the more thoroughly can we estimate the merit or demerit of ministers. If they are conscious that their measures are right, they will court discussion; if they are aware they are wrong, they will either oppose a scrutiny, or endeavour to defeat its purpose by garbled or imperfect information. Lord North easily perceived, that such strong reasoning could not be directly controverted; and that, on the other hand, the admission of the proposition in its full extent would be neither expedient nor agreeable to administration; he therefore endeavoured to please both parties. He professed to support Mr. Fox's motion. It would, he said, afford ministers an opportunity of justifying their conduct, and proving the nation to be in a flourishing state: he wished, however, to reserve to himself the right of withholding such papers from the house, as it might be inconvenient, dangerous, or prejudicial to government, to expose. Mr. Fox readily perceived the object and latitude of this discretionary

which is allowed under certain restrictions.

discretionary exception, and soon put the real intentions of ministry to the test. A multiplicity of papers being at his instance produced, he proposed that they should be referred to a committee of the whole house, which should sit two months after that day, on the 2d of February, to afford time for the production of the required papers, lists, and accounts. These propositions being carried, he moved for an address to his majesty, for copies of all the papers relative to steps taken in conformity to the prohibitory act of 1776, for granting peace to those who should submit to the king's authority. The minister saw that the object of this motion was to prove that the prohibitory act had estranged the colonies, as opposition had predicted, instead of conciliating them, as ministers had prophesied. He therefore vehemently opposed the motion, as tending to produce discoveries which would be unwise and prejudicial to the country. Without proving this assertion, he repeated it with such a variety of illustration, as by many members was received for proof; and the papers were withheld. In the house of peers, however, very much to the surprise of both parties in the commons, on a similar motion, the required papers were ordered, without a debate. From this grant of the ministerial lords, of what was refused by their colleagues in the other house, opposition conceived the grounds of their opinions strengthened, respecting the want of concert among the members of administration.

News arrives of the disaster at Saratoga.

But the arrival of intelligence from America soon presented the state of the nation in a more dismal light, than the sagacity of a Fox, a Burke, or a Chatham, had anticipated. On the 3d of December, dispatches were received at the secretary of state's office, announcing the fate of the northern army. Uncertain rumours being spread in the course of the morning, as soon as parliament met the secretary was questioned respecting the intelligence. Rising

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Rising up slowly from his seat, he, in a low voice and sorrowful accent, acknowledged that general Burgoyne and his army were prisoners of war. For a considerable time after the fatal tidings were delivered, a dead silence overspread the house; shame, consternation, and dismay, from the declared issue of their boasted armaments did not more closely enchain the tongues of the promoters of the war, than astonishment and grief at so signal a calamity overwhelmed the thoughts, feelings, and utterance of their opponents. The stillness, however, of amazement and grief at length gave way to the loudness of lament and the fury of indignation. All the charges and censures that ever had been or could be adduced, were repeated and accumulated against the authors of a war so unjust in principle, and so inexpedient in policy; against conductors so deficient in wisdom of plan, vigour of execution, and skilful and effectual application of the multifarious resources allowed them by the misplaced confidence of parliament, and the credulity of the country. As ministers, it was said, they displayed gross ignorance, despicable incapacity, and infatuated obstinacy, in all and every part of their measures. After having, by a long and uniform series of mismanagement and folly, brought their country from exaltation to distress, they crowned the mischief of their system by a most dreadful disaster. This ruinous expedition flowed entirely from the same source as the whole of their pernicious system; confidence in false reports and gross exaggeration, which could not once, much less repeatedly and even constantly, have imposed upon understandings in the smallest degree discriminating, unless they had been blinded by their wishes. The secretary had projected the northern expedition in his closet. Sitting in Westminster, he ventured to direct, not only the general operations, but the particular movements of an army traversing the deserts of America: there were rumours

rumours that the inhabitants of Albany would co-operate with the British army, and ministers had formed their Canadian plan, according to their usual practice, on implicit faith in idle reports. A junction, it had been said, was designed between the armies of generals Burgoyne and Howe. To effect this purpose by sea would have been easy, but by land would have occupied a whole campaign: before the armies could have joined, the season for united exertions must have been past. General Howe, instead of co-operating with Burgoyne, was ordered to betake himself to the south; and Burgoyne and his brave soldiers being commanded to advance into the wilds of the enemy's country, had fallen a sacrifice to the ill-advised directions of ministers.

Different conduct of lords North and Germaine.

Lord North, in the mildness of his disposition, acknowledged miscarriage, but deprecated blame; his intention had been to promote the honour and interest of his country; he had counselled, and acted, according to the best of his judgment; he had always been the adviser and promoter of peace, and would gladly relinquish his office, if his resignation would facilitate its honourable attainment. He had been forced into a situation of the highest responsibility by the circumstances of the times and obedience to his sovereign, and had not accepted the appointment from choice. He had found American affairs in a state which he by no means approved: from the dispositions of the Americans, he saw the difficulty, danger, and unproductiveness of taxation, and had therefore proposed and carried a clause of repeal; in his subsequent measures, he had been driven by the force of circumstances, instead of being led by his own deliberate approbation. This gentle reply, which was better calculated to disarm resentment than to confute argument, diminished the asperity of invective, without weakening the efforts of reasoning. Whatever his motives or wishes might be (said his censurers),

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censurers), the measures actually proposed by him, and adopted through his ministerial influence with such obstinacy of perseverance, notwithstanding the repeated and uniform warnings that he had received, had in four years brought enormous debt, flagrant disgrace, and direful calamity on his country. If, therefore, his intentions were so pure and faultless as he represented, he incurred a charge of incapacity, which ought immediately to deprive him of his situation.

Lord George Germaine was not so explicit as his colleague; he merely requested the house should suspend its judgment, until the facts were properly examined. He also insinuated, that the conduct of the minister and general should undergo a scrutiny, before a just and accurate opinion could be formed. This observation being construed to imply censure against the absent general, revived the flame of rage which the mildness of lord North had cooled; and produced acrimonious violence, with personal retrospections, totally irrelevant to any business before the house.

Earl Chatham frequently attended in parliament this session, which was destined to be his last: he moved on the 5th of December, that copies of all the orders issued to Burgoyne relative to the northern expedition, should be laid before the house. After pouring out his eloquence against the pernicious system, blunders, and miscarriages of ministry, the spirit of delusion, he said, had gone forth; the ministers had imposed on the people, parliament had been induced to sanction the imposition, and false lights had been held out to the country gentlemen: by a promised diminution of tax, they had been seduced to the support of a most destructive war; but the visionary phantom, which had been thus conjured up for the basest deception, was now about to vanish, and the conduct of ministers ought to be probed. His lordship's motion, eloquently and

and forcibly as it was supported, was carried in the negative. On the 10th of December, Mr. Wilkes proposed a repeal of the obnoxious laws. Opposition gave him little support; it was now, they conceived, too late to expect conciliation from such a tardy concession, and measures must be adopted more seasonable in the existing circumstances. On the 11th of December, an adjournment to the 20th of January was moved and carried, contrary to the strenuous remonstrances of opposition, who, in a situation of such emergency, were extremely inimical to so early and long a recess; and ministers employed this interval in forming and arranging measures adapted to the present reverse of fortune.

THE loss of the northern army appeared to have entirely counteracted the schemes of administration for subjugating America. The advantages obtained under general Howe, were far from being decisive; he had taken towns, but had not conquered the enemy's troops. No additional forces could be expected from the German princes, and it would be with difficulty that their corps in our service would be recruited to their full complement. The bad success which had already attended our efforts, was very inimical to the increase, or even separation, of our armies from our own country. These actual difficulties were enhanced by expected dangers; the conduct of the house of Bourbon was so openly, and, indeed, so glaringly adverse to Britain, that war appeared probable, if not certain. In such circumstances, many, not inimical to ministers, conceived, that perseverance in our attempts would be infatuated obstinacy, instead of magnanimous firmness, and expected that they would desist from such an hopeless enterprise: but these expectations were totally disappointed; it was resolved to persist in the system of compulsion. Lord North was desirous of offering some terms of conciliation; but he agreed with his colleagues, that if these did not produce the intended

Counsels of ministers during the recess.

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intended effect, it was incumbent on Britain to persist in her plans of force. And if this determination be not altogether consonant to political wisdom, it was perfectly conformable to the general series of ministerial conduct. From a review of the measures and proceedings for the last four years, it is evident that they had not considered the great subject of their thoughts and policy so comprehensively and acutely, as to examine, compare, and estimate the value of the object, with the trouble, expence, and danger of the means, but narrowed their thoughts to the probability of success. Continuing this imperfect and partial mode of appreciation, they still entertained hopes that they might ultimately prevail. The force which they had furnished was, they alleged, sufficient for the object, if it had been properly employed. Much more effectual advances might have been made by an army so powerful, and so well supplied, against such an inferior enemy. By wise and judicious efforts, the British army, if properly recruited and repaired, must be victorious; but, although the necessity of raising a considerable body of new trooops was, on this ground of policy, sufficiently evident, the means were not so obvious. The late misfortune, and the little apparent room for hope, which now remained, of bettering our condition by force, allowed no encouragement for an application to parliament; the ministers, therefore, had recourse to the persons and classes who had shewn the greatest eagerness in the prosecution of the American war, and professed to afford them an opportunity of testifying their peculiar attachment and loyalty to the crown. They proposed, that individuals and corporations should raise regiments, and being allowed the bounty-money given by government in the time of peace, should defray the recruiting expences beyond that sum; in return for which, the contracting parties should have the appointment of the officers, who, it was not doubted,

would willingly undertake to levy a number proportioned to their respective commissions; such a quota of men would make up the requisite supply. In the former war, Mr. Pitt had experienced many important advantages from Scotch highlanders. Actuated by a mistaken zeal, these courageous, hardy, and enterprising mountaineers had twice struck terror into the bravest British veterans, and the most populous parts of England; but had shewn, in Flanders, Germany, and America, that, when properly instructed and guided, they could fight as well for their king and country, as, when misinformed and misled, they had fought against our constitutional law and government. Part of the present plan was, to bring great bodies of highlanders into his majesty's service. Of a migratory and adventurous disposition, and, in those days of unimproved agriculture, possessing scanty means of livelihood, those men were much more inclined to the military profession, than people in richer countries, and of stationary habits. Besides, there had been a succession of cold and withering seasons, which had greatly diminished their usual resources from pasturage. Distress combined with courage and the spirit of adventure, to dispose them to be soldiers. In addition to these motives, another principle was addressed; the attachment of the peasantry to the chieftains, so prevalent in all feudal countries; and which, in the highlands, combined patriarchal with seignorial relations. The noblemen, and other chiefs of the greatest power and influence, undertook to raise regiments. From the north, the Mackenzies brought two thousand, and the Gordons one; from the north-west and the isles, the Macdonalds brought one thousand; from the west, the duke of Argyle two thousand; from the south-west, the duke of Hamilton one thousand; and from the southern frontiers of the highlands, the duke of Athol one thousand. To this powerful support from the landed proprietors,

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Voluntary levies of new regiments.

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proprietors, commercial wealth added its efforts: the city of Edinburgh raised a regiment equally numerous and well-appointed as the others; nor was Glasgow, though she had suffered very much from the American contest, behind her eastern neighbour. In England, Manchester and Liverpool preceded other mercantile towns, in performing the same service. But, in order to render the efforts of monied opulence generally employed and extensively beneficial, it was ardently wished, though not so sanguinely hoped, that London would take the lead; the city and corporation were not, indeed, so violently inimical to the court, as they had been some years before; of the popular leaders, some were dead, and others had, from various causes, lost much of their former influence. The general sentiment was not so completely changed, as to give ministers a majority in the municipal councils of the metropolis; sir James Esdaile, the lord mayor, was friendly to administration; but his authority was not sufficiently great to determine the livery; and his motion for corporate efforts to recruit his majesty's forces, was negatived. A private association, however, was formed, to collect the contributions of individuals, and considerable sums were raised. The same mode was adopted at Bristol, with proportionate effect. In various parts of England similar attempts were made, but with trifling success: the great source of contribution, confidence in the ministers that were to dispose of the product, appeared to be most frequently wanting. The troops levied in this manner amounted to about fifteen thousand men, ten thousand of whom were raised in Scotland.

1778. The propriety of voluntary levies and contributions is discussed in parliament.

WHEN parliament assembled after the recess, the contributions by individuals or bodies, for repairing the exhausted army, were represented by opposition as illegal and unconstitutional; illegal, because men and money had been raised without consent of parliament;

parliament; unconstitutional, because such levies were indefinite as to number, and might be employed to deprive the country of its liberties. The law lords, and commoners connected with administration, argued, that the king, by his prerogative, was empowered to levy men, and to raise an army. When the new levies were reported to parliament, it was the duty of that body, if they approved of the measure, to provide for their subsistence; if otherwise, to refuse a supply, which, in effect, would disband the troops. The money raised was offered by individuals and bodies, who had a right to present their own money to the king as well as to any other person. Voluntary contributions of either men or money, or both, had been frequently offered in times of emergency; as for instance, in the rebellion of 1745, and the beginning of the seven years war, which were highly approved by men most distinguished for attachment to the constitution; in the former of these æras, by the lord chancellor Hardwicke; and the latter, by Mr. secretary Pitt. That the offers of individuals, in times of national difficulty, to contribute their utmost efforts, either by men or money, to the extrication of their country, were not laudable, and ought not to be received, opposition leaders were too able to affirm: without discussing the general principle, they endeavoured to prove that the cases were totally different; and that the only means of relief from our present calamities was, to abandon coërcive measures, and withdraw our troops from America. But, if the augmentation was at all necessary, it should have been effected by filling up the old regiments to their full complement; which would be both more conducive to military discipline, by attaching new recruits to veterans; and more economical, by saving immediately the pay, and ultimately the half-pay, of the officers. The mode now adopted, raised many gentlemen of no experience, to appointments fit only

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for veteran officers. The distribution of military trust bore much more the appearance of ministerial jobs to increase their patronage, than the policy of statesmen to strengthen the national force. These objections being canvassed by the supporters of administration, the question was proposed for granting the sums that were required for the new troops, and carried in the affirmative.

THE time appointed for inquiring into the state of the nation now drawing near, various motions were made for the presentment of papers; especially the instructions given to the generals in America; the correspondence that had passed between the commanders respectively; and also for accounts of the troops, artillery, and stores, which were in the various parts of America in the beginning of 1774, or sent thither since that time. The papers required, were either not produced at all, or so imperfectly, as to withhold in a great degree the desired information. From the materials however, incomplete as they were, Mr. Fox attempted to establish one great proposition; not only the expediency, but the absolute necessity, of bringing the American war to the speediest possible conclusion; and of restoring harmony, upon a broad and equitable foundation, between the mother-country and her colonies. He comprehended and exhibited in one view, the whole series of ministerial counsels; the detail of means, and the particulars and amount of the result: ministers, he argued, and the majority in parliament, had preferred coërcive to conciliatory measures; in consequence of that preference, Britain had gone to war with America; that war had lasted a certain number of years, had been prosecuted with a specified force by sea and land, attended with a stated expence of money and lives, and our utmost efforts in three years had not produced any material advantage. The army of Britain, in the course of hostilities, had been much more numerous and strong,

Mr. Fox's inquiry into the state of the nation;

his arguments,

strong, and the army of the enemy less numerous and weaker, than they were at present: it was nearly impossible to place our troops in America on the same relative footing to the forces of the colonies, with these which had already failed; and, after the repeated and continued failure of a very great force, we could not, consistently with probability and common sense, succeed with a much smaller. He enumerated the details of expence incurred by the war, stated the resources of the country, and denied that the nation could support [d] the continuance, much less the increase of expence, which perseverance in coërcion would demand: repeating, in detail, the various political measures of government, from the Boston port bill downwards, he contended, that they had so much alienated the minds of the Americans, that a much greater army would have been necessary to reduce them to submission, than Britain had sent, or could send. Ministers had not assisted force by policy: negociations, it is true, had been tried, but the obnoxious laws, rejection of petitions, and the very overtures themselves, had rendered them unavailing. From this chain of positions he inferred, that it would be impossible to reduce America by arms; and our situation respecting France, made it necessary to employ a strong force for the security of our own country, and of our garrisons in Europe. He moved, therefore, that the committee should address his majesty, that no part of the old established national forces in these kingdoms, or in the garrisons of Gibraltar or Minorca, should be sent to America. To the great surprise of the public, no answer was made either to the speech or motion; the question being called for

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and inference,

and motion;

which is rejected.

[d] An impartial reader may probably disapprove of Mr. Fox's circumscription of the possible resources of his country: as, in the first place, erroneous in point of fact, since they were soon found equal to much greater expenditure; and, secondly, not proper to be publicly declared. Disagreement of opinion, however, concerning the general extent, is perfectly compatible with the most exact coincidents of judgment, concerning the impolicy of employing any part of them in an attempt to subjugate America, after the disaster at Saratoga.

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without a debate, Mr. Fox's proposition was rejected by a majority of two hundred and fifty-nine to one hundred and sixty-five.

From the silence of ministers, it was conceived that a new scheme was in agitation respecting America, which determined them to abstain from that subject, until they should be ready to lay their plans before parliament. While the public was anxiously expecting the result of ministerial deliberations, Mr. Fox proposed, and explained to the committee on the state of the nation, twelve motions, framed agreeably to the principles and outlines which he had already stated and drawn. Their object was, to particularise the force employed, the numbers lost, the sums expended, and progress made; and to establish, as a general position, that, in every view of this improvident and destructive war, they should bear constantly in mind, that, besides our having suffered such disgraces in its progress as this country never before experienced, all those thousands of lives, and millions of money, had not only been thrown away to no manner of purpose, but that, on the contrary, the vast expence of blood and treasure had rendered conciliation much more difficult, and consequently our situation as a nation infinitely worse, than if the sword had never been drawn. Ministers objected to the several motions, as tending to disclose our situation to the enemy, and being in other respects hurtful to the country. Resolutions of a similar import were moved in the house of peers by the duke of Richmond, and experienced the same fate.

Mr. Burke's motion on the employment of Indians.

In reviewing the conduct of the war, Mr. Burke moved an inquiry into the employment of the Indians. Detailing the horrid massacres of these savages with all his animation and force of description, he contended, that the infliction of individual pain, more than the political annoyance of their enemies,

enemies, was their object; and thence argued, that their mode of hostility was not conducive to the purposes of civilized nations engaged in a war; these not being torment, but reduction and pacification. Nothing but necessity could excuse the employment of such savage warriors; the reasons that were in force in the war between the French and English, did not now exist. The Indian tribes had formerly been powerful states, relatively to the European settlers; it was then necessary to cultivate amity with them, in order to prevent their murderous incursions; but now their numbers were reduced, and there remained no motive or reason for seeking their alliance. To the purposes of conquest or coërcion, they were totally inefficacious; their employers might, through them, obtain partial butchery, but could derive no important advantage: on the appearance of danger, they would immediately desert every other commander, as they had abandoned Burgoyne. The employment of the savages was also farther objectionable as a measure of economy, one Indian soldier cost as much as five of the best regular troops; even, therefore, were their mode of warfare unexceptionable in other respects, the service did not nearly repay the expence. It was said by ministers, that if we had not employed the Indians, the Americans would have employed them against us: but there was no proof that they ever entertained any such intention; and if they had, the cruelty would not have been so destructive against regular embodied soldiers, who could so easily repel those undisciplined murderers, as against scattered and defenceless women and children. The attempt also to incite an insurrection of the negro slaves in the southern colonies, he reprobated, as equally barbarous and impolitic, as farther irritating the Americans by the attempt, and being in the execution ineffectual; and the motion, after a long debate, was negatived.

Lord

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Lord North's plan of negociation with the colonies.

Lord North had frequently afforded ground for an opinion that he was by no means so eager for coërcive measures as some of his colleagues. He had made several attempts to produce conciliatory plans, and had shewn himself not indisposed to concession, until he was recalled by his co-adjutors to the coërcive tone of the court.[e] Although, in compliance with the more obstinate and imperious members of the cabinet, he expressed a determination to persevere in the attempt, agreeably to his own disposition as well as to the policy which his judgment approved, he once more made a conciliatory essay, and on the 17th of February 1778 he proposed to the house of commons a plan for that purpose. He repeated his uniform conviction of the inefficiency of American taxation as a measure of finance; and thereby virtually, though not expressly, acknowledged the false reasoning of those colleagues or supporters who proposed by war with America to increase our revenue. He had wished to keep the discussion of taxation as a right as much as possible out of parliament, being convinced that its exercise would neither be productive nor expedient. Circumstances and events had forced the subject upon the legislature, and the uncomplying conduct of the colonists had rendered war unavoidable. The success of the hostilities had been totally different from what the country had reason to expect, from the great, well appointed, and amply provided force, which had been furnished by government. In the whole course of the last campaign, sir William Howe, in the number and goodness of his troops, and all manner of supplies, had been hitherto much superior to the army of Washington. General Burgoyne, until the disaster of Bennington, was nearly twice as strong as Gates. The issue of this expedition was totally different from the expectations that were reasonably formed;

[e] See this History, vol. ii. chap. xiv. & passim.

but

but to events, and not to hopes, their plans must be adapted. He moved to bring in two bills, one to declare the intentions of parliament concerning the exercise of the right of taxing America; and another, to enable his majesty to appoint commissioners for quieting the disorders now subsisting in the colonies. Five commissioners were to be appointed, any three of whom were empowered to treat with the congress, or any other assembly of men, and even with individuals in America, concerning grievances existing in the government of the colonies, or in the laws of Great Britain that extended to them; and contributions, or any other regulations which might be for the common good of both countries; with a proviso, however, that such agreements should not be binding until ratified by parliament. The commissioners were to be invested with absolute power for proclaiming a cessation of hostilities by sea and land, opening an intercourse with the mother-country, suspending the operation of all acts of parliament relating to the North American colonies passed since the 10th of February 1763, and granting pardons to every description of persons.

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In viewing these propositions of lord North, one remark is very obvious; if the measure now offered was right, it ought to have been adopted sooner; either the minister evinced want of knowledge and wisdom, in incurring the danger and expence of war without an adequate object; or want of firmness and perseverance, in too readily succumbing under misfortune. To wise and magnanimous nations, the hour of distress is not the hour of submission; and the present offers, after the threats and denunciations of ministers, were very naturally and fairly construed to be the concessions of discomfited boasting. Very mortifying it was to the feeling of every patriotic Briton, that his country, which had so often dictated to the most powerful nations of Europe,

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Europe, and had lately, under the auspices of Pitt, acquired such greatness and glory, was now so far changed and humiliated as to be the solicitor of peace from her recent subjects: galling, indeed, these reflections were to the generous pride of patriotism; it was, however, the province of wisdom to attend less to feeling, than to real interest. If it be the highest office of prudence to avoid, in any material case, error of judgment conducive to prejudicial conduct, its employment next in importance is recantation and reform. Dearly purchased experience had taught us, that coërcion would not succeed, at least without sacrifices greater than the value of the object; conciliation was therefore expedient. But the proposed system bore the general character of its author, wishing to please all parties, and satisfying none; defeating the purposes of benevolent disposition and acute understanding, by the want of firmness of temper. It was stamped with the same mixture of natural conciliation and adventitious coërcion, the same imperfectness of comprehension, which, in the commencing act of its ministry, after proposing the repeal of the other obnoxious duties, reserved the three-penny tax upon tea.

'THE speech with which his lordship introduced his plan, and the propositions themselves, were heard with profound attention, but without marks of approbation from any party, class, or individual in the house. The minister declared, that his present sentiments were those which he had always entertained, and an accurate and minute examiner of his conduct and character could discover, that the change here supposed was perfectly conformable to the uniform tenor of his indecision and fluctuation. But the greater number of his hearers had attended to acts, rather than to the mind and circumstances in which they originated, and though surprised at his plan, wondered much more at the declarations by which it was prefaced. He had been considered

considered by parliament, and represented to the nation, as the person most tenacious of those rights which he was now willing to resign, and the most averse from that submission which he now proposed to offer. The minister received the earliest support from those who had most vigorously combated his preceding measures, but expressed their fears that the concessions were too late, and that they had waited till France had probably completed a treaty with the American provinces; they would, however, vote for any scheme that tended to reconciliation. The principal bill underwent various animadversions from the usual supporters of the minister. After several material corrections and modifications, it passed in both houses without a division. After its amendments being expressed, the new bill was as follows: "An act for removing all doubts and apprehensions concerning taxation by the parliament of Great Britain, in any of the colonies, provinces, and plantations in North America and the West Indies; and for repealing so much of an act, made in the seventh year of the reign of his present majesty, as imposes a duty on tea imported from Great Britain into any colony or plantation in America, or relates thereto." The second bill, which was a corollary from the first, passed with little opposition. The commissioners were, the commander in chief, lord Howe, the earl of Carlisle, William Eden esq. and governor Johnstone. The able and learned Adam Fergusson was secretary to the mission.

Hostile intimations from France.

In the beginning of March, the duke of Grafton informed the peers, that he had received well-attested intelligence, that a treaty was concluded and actually signed between France and America; and demanded from ministers, either an acknowledgment, or denial, of this important act. Lord Weymouth, secretary of state for the southern department, protested that he had heard no account of such alliance being formed,

or

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or even intended: but within a week after this declaration, a message was delivered to each house by the respective ministers, to the following effect: "His majesty having been informed, by order of the French king, that a treaty of amity and commerce has been signed between the court of France and certain persons employed by his majesty's revolted subjects in North America, has judged it necessary to direct, that a copy of the avowal delivered by the French ambassador to lord viscount Weymouth be laid before parliament; and at the same time to acquaint them, that his majesty has thought proper, in consequence of this offensive communication on the part of France, to send orders to his minister to withdraw from that court: his majesty is persuaded, that the justice and good faith of his conduct towards foreign powers, and the sincerity of his wishes to preserve the tranquillity of Europe, will be acknowledged by all the world; and his majesty trusts that he shall not stand responsible for the disturbance of tranquillity, if he should find himself called upon to resent so unprovoked and so unjust an aggression on the honour of his crown, and the essential interests of his kingdom, contrary to the most solemn assurances, subversive of the law of nations, and injurious to the rights of every sovereign power in Europe. His majesty, relying with the firmest confidence on the zealous and affectionate support of his faithful people, is determined to be prepared to exert all the force and resources of his kingdoms, which he trusts will be found adequate to repel every insult and attack; and to maintain and uphold the power and reputation of his country." The minister moved an address to the throne, which, besides conforming to the principal positions of the message, declared the strongest indignation and resentment at the unjust and unprovoked conduct of France, arising from that restless and dangerous spirit of ambition and aggrandizement

grandizement which had so often invaded the rights and threatened the liberties of Europe. It concluded with the strongest assurances of the most zealous assistance and support, and declared the firmest confidence that the whole nation would contribute every possible exertion for the honour and dignity of the crown, and the just rights and essential interests of these kingdoms.

Proposition for the removal of ministers.

In the house of commons an amendment was proposed, that his majesty should remove from his councils those ministers, in whom, from experience of the pernicious effects of their past measures, his people could place no confidence in the present momentous situation of public affairs. The chief arguments for the amendment were, that it would be extremely foolish, and no less dangerous, to confide the management of the most arduous war in which Britain had ever engaged, to ministers whose conduct had been a series of ignorance, rashness, and weakness, and had already brought the country, from a high pitch of power and glory, to its present humiliation and distress; who, having found the kingdom in peace, by their counsels and measures had changed that state of happiness and prosperity into all the horrors and mischiefs of an unnatural, cruel, and destructive civil war; and whose ignorance and obstinacy, disdaining all warning, had plunged this nation into all its present danger and calamity.[c]

Arguments for it:

There could not be a more glaring or criminal instance of ministerial negligence and imbecility, than that, in times of peace they could not discover the designs and transactions of France, until they were openly avowed. Ministers had shewn themselves totally unfit for managing our affairs; therefore they ought not to be trusted with the conduct of greater and more difficult situations. The enemy presumed on the notorious weakness and instability which had long characterized the British counsels.

[c] Parliamentary Reports.

They

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They knew, that if the ministers had been pensioners of France, they could not have promoted the interest of that country more effectually than they had actually done. It would be useless to offer any support to his majesty, without informing him at the same time of the incapacity of those to whom he had entrusted the management of public affairs. After such repeated instances of folly, neglect, and incapacity, the nation could repose no confidence in his present ministers; and their removal alone could realize any offers of support, and revive the drooping spirit of the people. That single measure would strike more terror into the enemies of this country, than all the warlike preparations which we were capable of making under the present notorious imbecility of our councils and conduct.

against it.

Against these arguments the minister and his friends did not offer refutations equally strong; but they contented themselves with asserting their conduct to have been unblamable, and the best which the state of affairs could possibly admit; and repeated their asseverations, of the flourishing state of the country, and its ability to defend itself, and inflict punishment on our enemies for their unprovoked attack. The course of the debate brought forward the question of American independence, and manifested that diversity of opinion on the subject between certain members of opposition, which had before begun to discover itself, and eventually rendered them distinct and even opposite parties. By a part of opposition, the immediate acknowledgment of the independence of America was considered not only as the wisest, but the only measure which could extricate us from the present evils, without still greater losses, and with any probable prospect of deriving future advantage from our colonies. This was the opinion held by the duke of Richmond, the marquis of Rockingham, Messrs. Burke, Fox, and other members of that party; but the earls

earls Chatham, Temple, and Shelburne, and lord Camden, Messrs. Dunning and Barre, with some other members of both houses, were totally averse from the independence of America. Such a concession they considered as the greatest of all political and national evils, and as including the utter degradation and final ruin of Britain. The other division of opposition admitted the evils to be great, but not equal to those which must be incurred in endeavouring to prevent its completion, and thought that no effort for that purpose would be ultimately successful.

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Mr. Fox proposes an inquiry into the state of the nation.

After the hostile declaration of France, the inquiry into the state of the nation was principally directed to the condition of the navy. On the 11th of March, Mr. Fox having taken a view of our naval force in the various harbours of this country and the different stations abroad, as the result of the whole, proposed a motion, importing that the public had paid, in the last eight years, for the ordinaries and extraordinaries of the navy, though the greater part of that period was free from hostilities, about double the sum to which the estimate for the same service amounted in the eight years commencing with 1755 and ending with 1762, which included the whole of the late war; and that, notwithstanding the immense increase of cost, the present naval force of Great Britain and Ireland was inadequate to the very dangerous crisis of public affairs. Ministers neither endeavoured to confute the assertions, nor to overturn the arguments of their formidable adversary: the force which they could not combat, they endeavoured to elude; the motion, they said, was impolitic, as it tended to expose to the enemy the state and disposition of our maritime strength; and, by this common objection, they prevailed on parliament to stifle inquiry.

The

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1778. His inquiry into the plans and preparations of the Canada expedition.

THE great statesman of opposition having failed in his endeavour to investigate the future efficiency of our fleets, was not deterred from prosecuting his inquiries, which he now turned to the past direction and conduct of our armies, and on the 19th of March he proposed to the committee the consideration of the Canada expedition. He undertook to demonstrate that the plan was impolitic, unwise, and incapable of producing any good effect; that the provision made for it was inadequate to the object, and that general Burgoyne had acted agreeably to the tenor of his instructions: if he established these three positions, (he said) he would deduce from them a motion concerning the conduct of lord George Germaine. The ministers opposed the inquiry chiefly for the same reason that they had resisted a former attempt of a similar tendency, the absence of one of the parties; they, however, entered more into the actual merits of the plan than on the preceding occasion, and endeavoured to prove that the northern expedition was, in the first place, a wise and necessary measure; that it was capable of success, and the design evidently practicable; and that the noble secretary in whose department it lay, had omitted nothing which could be done by an attentive minister to insure its success. Although they did not fully enter upon this justification, yet they brought forward that which they appeared to consider as their principal ground of defence. The question being at length called for, the first resolution was rejected by the majority of 164 to 44. Mr. Fox, enraged and indignant at the event of this division, not only declared that he would not propose another motion; but, taking the resolution of censure out of his pocket, tore it into pieces, and immediately quitted the house.

THE duke of Richmond early in this session moved and procured a grand committee, to inquire into

into the state of the nation; and having been very active in forwarding its investigations, on the 7th of April he took a general view of the progress and result. It had not produced, in every case, he said, the desired information, but the effects on the whole had been important and beneficial; they had ascertained the state of the army and navy, and the vast expenditure which accrued from the American war. Ministers, it was true, had used their utmost efforts to prevent parliament from being informed; but, in opposing the resolutions as unseasonable, they had fully admitted the facts on the allegation of which they were grounded. They were far from pretending that the asserted deficiencies of the army and navy were unfounded; they objected not to the truth of the statement, but to the policy of the publication. Viewing the state of the resources made known through the exertions of the committee, he proposed to finish the inquiry by an address to the throne, which should exhibit an abstract of the information obtained, the resolutions proposed, and the general inferences which sprung from the whole.

The duke of Richmond proposes an address to the throne.

FOUNDED upon these bases, the projected address represented to his majesty THE STATE OF HIS DOMINIONS; and expressed the indignation of the house against the conduct of ministers, by which it was caused. In this calamitous, though he trusted not desperate, situation of public affairs, they reposed their ultimate hope in his majesty's paternal goodness. It reminded the king of the constitutional principles, whence issued the revolution, and the accession of his illustrious house; and the great and increasing prosperity of the country while its government adhered to these principles. It recalled to his majesty's recollection THE PROSPEROUS AND GLORIOUS STATE IN WHICH HE FOUND THESE REALMS; contrasted the condition of that time with the *present distress*, and declared a confi-

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dence that the wisdom and goodness of the sovereign would put an end to that system under which so fatal a reverse had taken place. This was the substance of the duke of Richmond's address, interspersed through which was poignant asperity against his majesty's court and administration. While proposing remedies for the alleged evils, he insisted that the only sure means of extrication from a war with the colonies, was the recognition of their unqualified independence. This was a proposition, to which not only lord North, but the most firmly and violently and ardent supporter of coërcive measures was not more inimical than the illustrious champion of conciliation, the earl of Chatham. His lordship had that session frequently attended the house of peers, less from the relaxation of distemper than from the calls of duty, which the increasing calamities of his country made him consider as every day more imperious. In a bodily state fitted only for the stillness and quiet of a bed of sickness, he encountered the active warfare of the senate, hoping his counsels might at length be admitted by those who were experiencing such evils from former rejection and intractability, and that, in his old age, he might contribute to restore part of the prosperity, greatness, and glory which he had acquired for his country in the vigour of his life, and which left her when he ceased to guide her affairs. His exertion, in the former part of the session, so much beyond his bodily strength, had increased his distemper; but, informed of the business that was to be agitated, and aware of the doctrines which would be brought forward, he thought it incumbent on himself to render it manifest to the world, that though he agreed with the marquis of Rockingham and his adherents in reprobating the system of ministry, he totally differed from them on the question of American independence. He accordingly betook himself to the senate,

Schism of opposition on the question of American independence.

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of which, for near half a century, he had been the brightest luminary. Having arrived in the house, he refreshed himself in the lord chancellor's room, until he learned that business was about to begin. The infirm statesman was led into the house of peers attended by his son-in-law, lord Mahon, and resting on the arm of his second son, Mr. William Pitt. He was richly dressed in a superb suit of black velvet, with a full wig, and covered up to the knees in flannel. He was pale and emaciated, but the darting quickness, force, and animation of his eyes, and the expression of his whole countenance, showed that his mind *retained* its primæval perspicacity, brilliancy, and strength. The lords stood up, and made a lane for him to pass through to the bench of the earls, and with the gracefulness of deportment for which he was so eminently distinguished, he bowed to them as he proceeded. Having taken his seat, he listened with the most profound attention to the speech of the duke of Richmond. When his grace had finished, lord Chatham rose; he lamented that, at so important a crisis, his bodily infirmities had interfered so often with his regular attendance on his duty in parliament. "I have this day (said he) "made an effort beyond the powers of my consti- "tution, to come down to the house, perhaps the "last time I shall enter its walls, to express my in- "dignation against the proposition of yielding the "sovereignty of America. My lord, I rejoice that "the grave has not closed upon me, that I am still "alive to lift up my voice against the dismember- "ment of this ancient and noble monarchy. Pressed "down as I am by the load of infirmity, I am "little able to assist my country in this most perilous "conjuncture; but, my lords, while I have sense "and memory, I never will consent to tarnish "the lustre of this nation by an ignominious sur- "render of its rights and fairest possessions. Shall "a people so lately the terror of the world, now

Last efforts of lord Chatham.

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" fall prostrate before the house of Bourbon? It is " impossible. I am not, I confess, well informed " of the resources of this kingdom; but I trust it " has still sufficient to maintain its just rights, " though I know them not; and any state, my lords, " is better than despair. Let us at least make one " effort; and, if we must fall, let us fall like " men."

THE duke of Richmond declared his grief and horror at the dismemberment of the empire to be as great as that of any man in the house or nation, but how was it to be avoided: he himself was totally ignorant of the means of resisting with success the combination of America with France and Spain. He did not know how to preserve the dependence of America. If any person could prevent such an evil, lord Chatham was the man; but what were the means that great statesman would propose. Lord Chatham, agitated by this appeal, made an eager effort at its conclusion to rise; but

His illness,

before he could utter a word, pressing his hand to his heart, he fell down in a convulsive fit. The duke of Cumberland and lord Temple, who were nearest him, caught him in their arms. The house was immediately in commotion, strangers were ordered to depart, and the house was adjourned. Lord Chatham being carried into an adjoining apartment, medical assistance soon arrived. Recovering in some degree, he was conveyed in a litter to his villa

death,

at Hayes in Kent, and there he lingered till the 11th of May, when he breathed his last, in the seventieth year of his age.

THUS died William Pitt, earl of Chatham; his death being hastened by his efforts to save his country, whose interest and glory it had been the busi-

and character.

ness of his life to promote. Many as are the examples of uncommon ability which English history presents, she has none to record more brilliant, more forcible, or more beneficial to the times in which

which it operated. Surpassing other senators in glowing, energetic, and commanding eloquence, he still farther exceeded them in political wisdom; astonishing parliament as an orator, he astonished the nation and all mankind as a statesman. Rarely have been united in the same person, such powers of thought, speech, and action. Grasping the principles, circumstances, and relations to be considered and discussed, he instantaneously perceived the arguments to be adduced in deliberation, or the means to be employed in conduct. Sagacious to discover, rapid and powerful to invent and combine, luminous and strong to explain and impress, he was decisive and prompt in execution. He not only discerned and chose effectual means, but applied them at the instant of time which was most favourable to their efficacy. Thoroughly master of the human character, he perfectly comprehended the general and peculiar talents and qualities of all, with whom either accident, inclination, or duty induced him to converse. Hence he selected the fittest instruments for executing, in the manifold departments of public service, his wise, bold, and sublime plans. Not his intellectual powers only, but the estimation resulting from these, in union with his moral conduct, gave to Mr. Pitt an authority far transcending that of other ministers: inaccessible to avarice, unseduced by pleasure and luxury, the abstinence of his dispositions, and the temperance of his habits, confirmed that confidence which his wisdom and magnanimity created: destined for the army, he did not receive an academic education. The ground-work of erudition was indeed laid in classical knowledge[d]; but the superstructure was left to himself. His studies were ethics, poetry, eloquence, history, and politics; especially the history and politics of his country. Thus he was, in a great mea-

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[d] At Eaton, where he was the cotemporary and friend of Lyttelton and Fielding.

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sure self-taught. His genius, though extraordinary in force and fertility, and enriched with ample materials, not being disciplined in proportion to its capacity and knowledge, did not habitually exert itself in close deduction; but, for grandeur of conception and comprehensiveness of views, force of reasoning, depth of conclusion, and sagacity of prediction; strength and sublimity of imagery, and appositeness of allusion; for pathetic in every kind and variety; for wielding at will the judgment, fancies, and passions of his hearers, William Pitt stood unrivalled. But his wisdom, magnanimity, and energy, are most clearly beheld in their effects. At the beginning of the seven years war, the nation, perceiving their country neglected by ministers, her arms discomfited and inglorious, and her spirits drooping and desponding, called on Mr. Pitt for relief. Unsupported by court-interest, obnoxious to the confederacy which had long prevailed, his genius overpowered intrigue. He came to the highest office, when none else by holding it could save the state. Having risen exclusively by ability himself, his chief object was to bring every kind of ability into action which could be beneficial to the country. Disdaining to govern by parties, he absorbed them all into his own vortex. From torpidity, weakness, defeat, disgrace, and dejection, he changed the condition of the nation to ardour, strength, victory, glory, and triumph. Nor did Britain by her affection, gratitude, and admiration, or Europe by her astonishment, bear stronger testimonies of his exalted

* Reasoning does not merely depend upon power, but on power confirmed and facilitated by habit. Every able man is not necessarily an habitual logician; nor is every age and country which exhibits works of great ability, necessarily eminent for ratiocinative efforts. In the reign of George the second, close argument was not the principal characteristic of our senatorial oratory; brilliant and powerful images to charm the fancy, pathetic descriptions and exhibitions to impress the feelings aided by graceful elocution and delivery to strike the senses, were much more prominent in the most approved models, than an unbroken chain of antecedents and consequences merely conducting truth to the understanding. Thus the state of the senate encouraged that mode of eloquence which the early studies and pursuits of Mr. Pitt tended to bestow.

merit,

merit, than France by her hatred and terror for the name of Pitt. As Britain flourished while this statesman conducted her councils, from the time his direction ceased her decline commenced; but, as he had caused her elevation by his own wisdom and vigour, he endeavoured to prevent her downfal through the rashness, folly, and weakness of others. From the rise of this innovating system of colonial policy, he perceived its tendency; and foresaw and foretold its effects. He tried to avert the evil, but his attempts were vain: a feeble body, a constitution debilitated by intense application, and labouring under grievous malady, obstructed his regular attendance in parliament, to deprecate pernicious measures; but, when he did appear, his speeches deserved record as the emphatic dictates of prophesying wisdom. Nature arrayed transcendency of genius, and grandeur of soul, in pleasing and striking colours, and bestowed on this favourite son an animated and expressive countenance, a tall and graceful figure, with a dignified mien and deportment.

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This statesman possessed ambition in common with other great minds that are engaged in active life. If, however, he loved power, it was neither to enrich himself nor his friends, but to aggrandize his country, and humble her enemies. A more appropriate feature in his character, was contempt for tame mediocrity. He perhaps too much disdained that dexterity and address, which, though easily attained, and no indication of superior talents, often smooths the road for the execution of wise and beneficial plans: such a man must have seen the inferiority of his colleagues; but it was not necessary to his political purposes to make them feel that inferiority. His unbending resolution is an object of regret to patriots, as it produced his resignation, when his services were so essential to his country. In the various relations of private life,

lord

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lord Chatham was amiable and estimable. He married a lady, whose talents and character rendered her worthy of such a husband; whose conversation solaced his mind in the hours of infirmity and pain, and whose views coincided, and efforts co-operated, with his own, in the tuition of their several children. Few and trivial were the blemishes, which merely shewed that this extraordinary man was not exempted from the imperfections of humanity; but the historian who desires to narrate the truth, must endeavour to hand down to posterity William Pitt, earl of Chatham, as one of the chief glories of England.

Tributes of respect and gratitude paid to his memory by parliament.

When the intelligence of lord Chatham's death arrived, the house of commons being sitting, colonel Barre, in a concise but just eulogium, expressed the obligation of the country to the deceased statesman, and moved an address to his majesty, for directions that his remains should be interred at the public expence: the motion received general approbation. A monument was also proposed, and unanimously resolved to be erected in Westminster abbey. The following day it was stated to the house, that the illustrious object of their veneration, highly as he had benefited the nation, had been by no means equally attentive to his own private fortune; and that, notwithstanding his opportunities, he had left his family destitute of all suitable provision. An address was proposed and voted to his majesty, by which an annuity of 4000*l.* per annum was settled for ever on those heirs of the late earl of Chatham to whom the earldom might descend, and 20,000*l.* were granted for the payment of his debts.

Application to parliament in favour of Ireland.

Towards the close of this session, application was made to parliament in favour of Ireland, to relieve that country from sundry restraints respecting their manufactures and trade: these restrictions injured Ireland, it was alleged, without serving Britain.

From the facts presented by lord Nugent, who introduced the business, and other collateral evidence, it appeared that the trade of Ireland had suffered severely during the war; that the exportation of Irish manufactures, was in a great measure suspended; that thence numbers of the people were deprived of their stated employments, and rendered destitute of the means of subsistence. The decay of the trade was still more severely felt, in consequence of very heavy additions which had been recently made to the civil establishment, by the increase of pensions and other burdensome appointments: the relief solicited was to take off some of the many incumbrances which oppressed both the export and import traffic of that kingdom. In order to favour the woollen manufactory of England, the Irish had been hindered from manufacturing their own wool: the consequence was, that Irish wool was smuggled over into France, to the great detriment of British manufacturers, as with such materials France would soon be able to rival England. Bills were introduced to revive the trade and manufactures of Ireland, without injuring this country. The relief proposed in the house of commons was, first, that the Irish might be permitted to export directly to the British plantations or settlements all merchandize which should be the produce of that kingdom or of Great Britain, wool and woollen manufactures only excepted; as also foreign certificate goods legally imported: 2dly, that a direct importation should be allowed to all commodities being the produce of the British plantations, tobacco only excepted: 3dly, that the direct exportation of glass manufactured in Ireland should be permitted to all places except Great Britain: 4thly, that the importation of cotton yarn the manufacture of Ireland should be allowed, duty free, in Great Britain: as also, 5thly, the importation of sail-cloth and cordage. Bills founded on these propositions

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propositions encountered a strong opposition. The projected change alarmed the merchants of Bristol and Liverpool, and also the manufacturers of Lancashire and the county of Nottingham, who strenuously opposed the admission of Ireland to a participation of the rights of British subjects; and a general alarm was spread through most of the trading and manufacturing parts of the kingdom. They considered the admittance of Ireland to any share of British trade, as not only destructive of their property, but being equally subversive of their rights. They were as little disposed to consent that the people of Ireland should cultivate their own manufactures, and dispose of their native commodities at the proper foreign markets, as they were to admit them to any limited degree of participation.

The consideration is postponed.

After much discussion, in which the supporters of the bill had the advantage, it was agreed by both parties to defer the final adjustment until the next session of parliament. The opposers gave way to partial enlargements with regard to Irish trade, from which its supporters hoped that, by allowing them another session before its final determination, they might become well-disposed to promote some of the propositions.

Bill for excluding contractors from the house of commons.

Sir Philip Jennings Clerk introduced a bill for restraining contractors with government from a seat in parliament, unless the contract should be made at a public bidding. The arguments on both sides were obvious: by the proposers of the law it was alleged that contracts were often granted, on the most advantageous terms, for purposes of corruption: by its impugners, that it would be very unjust to deprive an individual of his privileges as a British subject, because he had engaged to furnish at a stipulated price articles wanted for the public service. Members of parliament, who were debarred from this source of mercantile profit, if disposed to traffic in corruption, could easily accomplish their desire

desire clandestinely through agents: the bill was rejected by a majority of only two, the numbers being against it 115, for it 113. CHAP. XX. 1778.

On the 14th of May, near the close of the session, sir George Saville proposed a bill for the repeal of certain penalties and disabilities that were established by an act of the tenth of William III. for preventing the farther growth of popery. The legal and political ability of Mr. Dunning was chiefly employed in explaining the evils now proposed to be removed. By the act in question, popish priests or jesuits, found to officiate in the service of the Romish church, incurred the penalties of felony if foreigners, and of high treason, if natives: the successions of popish heirs educated abroad were forfeited, and their estates descended to the next protestant heir: a son, or other nearest protestant relation, might take possession of the estate of a father or other next kinsman of the popish persuasion, during the life of the real proprietor: papists were prevented from acquiring any legal property by *purchase*, a term which in law included every mode of acquiring property, but descent; and thus the various sources of acquisition were shut up from the Roman catholics. The mildness of government had softened the rigour of the law; but it was to be remembered, that popish priests constantly lay at the mercy of the basest of mankind, common informers. On the evidence of any of these wretches, the magisterial and judicial powers were necessitated to enforce all the shameful penalties of the act. Others of these punishments held out powerful temptations to horrible and flagitious crimes. They seemed fitted to poison the sources of domestic felicity, to dissolve civil, moral, and religious obligations and duties, and to loosen all the bonds of society. Besides the intolerant and oppressive principle of the act, it appeared from the history

Repeal of king William's act respecting Roman catholics.

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history of its enactment[f], that it was a measure of party intrigue more than of general policy. Even if there then existed reasons which justified severity, they were no longer in force. The Roman catholics had conducted themselves with unquestionable propriety during the present reign, and had that very session, presented a petition expressive of their loyalty and attachment to the king and government, and their resolution, at the risk of their lives and fortunes, to defend their king and country against the apprehended invasion of the French and all their enemies. The ministerial party was extremely well inclined to shew favour to such meritorious subjects; and, though aware of their general unpopularity, they did not themselves chuse to hazard a proposition which would most probably excite alarm among the protestants; they very gladly adopted therefore the measure when brought forward by opposition, and the bill passed both houses without a division.

Supplies, and taxes.

THE supplies for this year were sixty thousand seamen, with a considerable augmentation of land-forces. The ways and means were, a loan of six millions at three per cent., with an annuity of two pounds ten shillings for a certain number of years, or for life; the sum of 480,000 *l.* was raised by a lottery, and two millions by exchequer bills. The new taxes were, an additional duty of eight guineas per ton imposed on all French wines, and four guineas on all other wines, sixpence in the pound on houses valued from five to fifty pounds a year, and one shilling on all above fifty pounds. The house-tax bill was strongly opposed, as unjust, partial, and oppressive; from the high value of the houses in London, it was asserted that nine-tenths of the burden would be borne by the metropolis. It was answered, that the value of houses arose

[f] See Burnet's History of his own times.

chiefly

chiefly from their situation, which rendered them pleasant, convenient, or profitable to their occupiers, and that the advantages much more than compensated the expence even with this addition; that, in other commercial places, rents rose in proportion to their lucrative situation, and that other parts of the kingdom would contribute a much greater share of the tax than had been asserted: the houses in every town or village as well as in London, would pay in proportion to the benefit arising from the situation. Beside the specific sums granted by parliament, an application was made for a vote of credit. This requisition occasioned a very warm debate: opposition contended, that the incapacity of administration was so glaring, and their conduct so very absurd and ruinous, that it would be extremely imprudent to trust to their discretion. Ministers defended their own measures, and insisted that a vote of credit was both usual and necessary in such circumstances, and that, though the assertions of opposition, if *proved*, would demonstrate them unfit for their offices, yet, until the allegations were established on better grounds than declamatory invective, the present counsellors, having the confidence of parliament, remained in their offices; and the public service therefore required, they should be furnished with the means of discharging their duties. The minority appeared not to have meant any objection to the vote of credit, since, notwithstanding the eloquence exerted on the subject, they suffered it to pass without a division.

A motion for an inquiry respecting expenditure,

The charge of boundless expenditure was a frequent theme of animadversion during the session, and a committee was proposed for inspecting the public accounts; but the motion was controverted by the supporters of administration, who declared, that the prudence and economy of ministers were so very

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very great and satisfactory, that all examination of accounts would be superfluous. If undue profits in some particular instances had been obtained by contractors, the treasury would oblige them to refund such sums, as soon as the necessary inquiry should be made. The inspection might be productive of great mischief, by disseminating ill-founded jealousies and suspicions among the people. Although this reasoning, that it was unnecessary to investigate the management of pecuniary stewards, because they themselves and their connexions asserted that they were prudent and economical, may not convince an impartial reader, yet it convinced the majority in the house of commons, and the desired inquiry was prevented.

is rejected.

On the 3d of June, parliament was prorogued. His majesty, in his speech on this occasion, after returning thanks to parliament for their wise deliberations and vigorous efforts, expressed himself respecting the interference of France, with a dignity and magnanimity worthy of the first personage in the first nation of the universe. He spoke the merited resentment of conscious justice, supported by conscious power. "My desire (said our king) to preserve the tranquillity of Europe, has been uniform and sincere; I reflect with great satisfaction, that I have made the faith of treaties, and the law of nations, the rule of my conduct; and that it has been my constant care to give no just cause of offence to any foreign power: let that power, by whom this tranquillity shall be disturbed, answer to their subjects, and to the world, for all the fatal consequences of war: the vigour and firmness of my parliament have enabled me to be prepared for such events and emergencies as may happen; and I trust that the experienced valour and discipline of my fleets and armies, and the loyal and united ardour of the nation, armed and animated in the defence of every

Dignified answer of his majesty.

every thing that is dear to them, will be able, under the protection of Divine Providence, to defeat all the enterprises which the enemies of my crown may presume to undertake, and convince them how dangerous it is to provoke the spirit and strength of Great Britain."

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Campaign opens in America.— Operations by detachments from general Howe's army.— Howe resigns the command— festival in honour of him, under the name of Mischienza— departs for Europe — and is succeeded by sir Henry Clinton. —Arrival of commissioners from Britain.—The Americans refuse to treat, unless as an independent nation.—Evacuation of Philadelphia — and march through the Jerseys.— Battle of Freehold Court-house — the British army is successful — and arrives at New York.— D'Estaing arrives with a French fleet—maritime operations.— Attempts upon Rhode Island.—Partial and detached expeditions.— D'Estaing departs for the West Indies.—Farther proceedings of the commissioners — issue a proclamation without effect — return to England.—Congress publish a counter-manifesto.— Hostilities in Europe.—Admiral Keppel takes the command of the channel fleet.— Capture of the Licorne French frigate — of the Pallas.—Keppel returns to Portsmouth for a reinforcement — sails in pursuit of the enemy — descries the French fleet off Ushant.—Battle of the 27th of July indecisive.—The French fleet retires during the night.—Apprehensive of a lee-shore, Keppel forbears pursuit.— Captures by frigates and privateers.—Balance greatly favourable to England.— Depredations by Paul Jones — plunders the seat of lord Selkirk.—Crimination and recrimination by Keppel and Palliser — are respectively tried and acquitted.

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1778. Campaign opens in America.

FROM political proceedings we now return to military transactions. The hostile armies at Philadelphia and Valley Forge passed the severity of the winter within a few miles of each other, in great tranquillity. Spring arrived, and the commander in chief continued to repose himself at Philadelphia; he, however, sent out several occasional detachments, which displayed British intrepidity and skill in desultory operations, without any material result.

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Operations by detachments from general Howe's army.

In the beginning of March, colonel Mawhood was sent with the 27th and 46th regiments, and the New Jersey volunteers, to make a descent on the coast of Jersey, to procure forage, and assist the loyalists, who were severely oppressed by Livingston, the American governor. Various creeks communicate with the Delaware on the Jersey side; over the Allewas, one of these, there were three bridges; Thompson's farthest up, St. Quinton's in the middle, and Hancock's next the river. At the two last the provincials determined to make a stand. Mawhood having pretended to retreat, enticed the Americans to cross St. Quinton's bridge, and fall into an ambuscade which he had previously formed; the enemy being surrounded, most of them were either killed, taken prisoners, or drowned. Major Simcoe, being employed to attack the party posted at Hancock's Bridge, crossed the creek in boats by night with a party of soldiers; assailed, surprised, and dispersed the Americans; and secured a passage for the whole British detachment: colonel Mawhood having completed his forage, returned to Philadelphia. In the beginning of May, an American brigade, commanded by general Lacy of the Pennsylvania militia, being posted at the Crooked-billet, on one of the chief roads between the country and Philadelphia, obstructed the approaches of farmers with provisions for the city. That enterprising and intelligent officer, major Simcoe, having perceived this position and discovered its object, proposed to march round with the queen's rangers, so as to gain the rear of the enemy, while another party should lie in ambuscade to intercept their retreat to Washington's army. The scheme being approved, colonel Abercrombie was appointed to command the ambuscade, and to lie in wait till he should hear the firing of Simcoe's corps. On the 30th of May, major Simcoe set off with his detachment by the projected route, and afterwards Abercrombie departed with about four hundred light infantry, a

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large party of light dragoons, and horses, for the sake of greater expedition, to mount his foot soldiers. The colonel could not reach the place of his destination at the appointed time during the night; eager, however, to support major Simcoe, he sent forward his cavalry and light infantry. The commander of the advanced corps having proceeded as far as Lacy's out-post, was seen and fired at by the enemy's sentinel, but did not retire. The American commander concluding a stronger force to be at hand, immediately filed up the country, and, by abandoning his baggage, escaped the pursuit. The British troops having dislodged the provincials, returned with the captured baggage to Philadelphia; and, by the success of this excursion, greatly facilitated the conveyance of provisions to the British army. An expedition being sent under majors Maitland and Simcoe, destroyed a great number of American vessels, that had escaped the preceding campaign at the capture of the forts on the Delaware. These desultory enterprises proved that British courage and conduct by land and water were equal to the efforts of former times, however little they conduced to the promotion of British interest.

Howe resigns the command.

FOR several months, sir William Howe had resolved to resign his command, and intimated his intention to lord George Germaine. His alleged ground for desiring to be recalled was, that he had not received the necessary confidence and support from administration. Ministers expressed the utmost surprise at his complaint, the grounds of which they affirmed were fully confuted by the written authority with which he was entrusted, and the force with which he was furnished. The requested permission, however, was granted, and the general accordingly prepared to depart for Europe.

THE easy and agreeable manners and indulgent conduct of general Howe, had gained the affection of many of his officers. Those viewing his exploits

and

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and services through the partial medium of attachment, attributed to them a merit and efficacy greater than that which has been allowed them by the rigorous scrutiny of impartial judgment. As a testimony of the high estimation in which they held their general, some of his officers gave in honour of him, when about to resign his command, a festival, which they denominated a Mischienza. The exhibition, indeed, was of a miscellaneous nature, and partook partly of the nature of Roman spectacles on the return of victorious generals to their grateful country: the general marched through the army between two triumphal arches. His train of attendants, however, seven silken knights of the blended rose, seven silken knights of the burning mountain, and fourteen damsels representing the paragons of knight-errantry, called before the imagination the *fabulous* glory of chivalrous ages. A tilt and tournament, *or mock representation of warlike atchievements*, made a part of the entertainment. On the top of each triumphal arch was placed a figure of Fame, ornamented with stars, blowing from her trumpet, in letters of light, *Tes lauriers sont immortels.*[a] While the multitude were dazzled by the splendor of this magnificent spectacle, some of the by-standers, whose fancies had not been sublimed into the regions of romance, but suffered their memories fully to recollect, and their judgments to appreciate, actual performance, wondered where, when, and how these *immortal laurels* had been earned. Soon after this signal testimony of esteem and admiration had been adduced in favour of his exploits as commander in chief, sir William Howe returned to Europe, and the office which he left was conferred on sir Henry Clinton.

1778. Festival in honour of him under the name of Mischienza

Howe departs for Europe, and is succeeded by sir Henry Clinton.

THE British commissioners now arrived with conciliatory propositions. To the success of their mission, many obstacles were foreseen; but some had

Arrival of the commissioners from Britain.

[a] Annual Register, 1778.

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lately occurred which had not been expected. Before the completion of the treaty between France and the Americans, the court of Versailles stated a difficulty, without the removal of which they said they could not accede to an alliance. Were Britain and America to be reconciled, on terms by which the latter should renounce her independence, the engagements which she might have contracted would be no longer valid. To destroy this ground of objection, the congress, in November 1777, entered into a resolution, declaring, that they would reject all proposals for a treaty with the king of Great Britain, which should be inconsistent with the independence of the United States, or with such alliances as might be formed under their authority. In the following April, having seen copies of the conciliatory bills, they, on the 22d of that month, passed resolutions, expressing reprobation of the conduct of the British parliament, as persevering in the same coërcive plans, but by indirect and insidious means; and declaring their contempt of the artifices and dissimulation by which England endeavoured to put them in execution. The general spirit of their proceedings was continuance in hostility to Britain, and amity to France; and the tendency of their acts was to promote the same sentiments among the people. On the 2d of May, Silas Dean arrived at York Town with copies of the treaties concluded between France and America at Paris. The congress immediately published a gazette, which, besides a summary of the whole, exhibited the most flattering articles, accompanied by comments, in which they extolled to the people the extraordinary equity, generosity, and unparalleled honour of the French king. They appeared to consider Spain as already a party in the confederacy; the other great powers of Europe as favourable to America, and desiring the humiliation of England. In such a state of American enmity to Great Britain,

tain, and exulting hopes of success, the commissioners arrived with their pacificatory proposals. On the 9th of June, they applied for a passport to their secretary, doctor Fergusson, who, they intended should convey their propositions to the congress, and conduct the negociation with that body. General Washington refused a passport, until he should consult the congress; whereupon the commissioners forwarded their papers by the ordinary military posts, and they reached the congress on the 11th of June. On the 17th, a brief, but decisive answer was returned by its president, manifesting a determination to maintain their independence, to adhere to the engagements with France, which as an independent nation they had contracted, and to reject the present proposition, which did not admit that independence. Reprobating the war as unjust in principle and barbarous in conduct, they notwithstanding declared their willingness to enter, as an independent state, into any negociation consistent with their present treaties.[b] In a paper of the same date, the congress issued its approbation of general Washington's refusal of a passport to the British secretary.

The Americans refuse to treat, unless as an independent nation.

This answer plainly shewed, that all attempts to conciliate America on the principles and plan proposed by parliament would be ineffectual, and proved that Britain either should have persisted in coërcion, or offered terms more suitable to the present state of sentiments and affairs. The offer, indeed, by flattering the pride, encouraged the perseverance of the American republicans; it confirmed the authority of the congress, and proved to Britain that the only alternative was entire conquest, or the acknowledgment (really at least, if not verbally) that they were no longer subject to our power; it held out to the loyalists the discomfiture of their

[b] See Mr. President Henry Laurence's answer to the British Commissioners, dated June 17th, 1778, in the collection of State Papers for that year.

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party, the proscription of their property, and exile from their native country; and dispirited the officers and soldiers themselves, by deeply impressing them with an idea, that the service in which they were employed was considered as hopeless.

Evacuation of Philadelphia.

A PLAN of operations had been formed for the campaign, should the proposed treaty fail. The first movement enjoined by the British ministers through lord Carlisle to the commander in chief, was the evacuation of Philadelphia. The abandonment of the chief city in America, and the principal object of so powerful an army during the whole campaign, was by no means calculated to dishearten our enemies, or the Americans, or to encourage the loyalists; nevertheless there existed circumstances which rendered such a measure expedient. We were no longer at war against the revolted colonies alone, but were contending with the chief maritime power of the world after our own. France had sent out from Toulon a great naval armament, of which the destination might either be America or the West Indies; if the former, the fleet under lord Howe, very inferior in force, might be blocked up within the long and winding river of Delaware, that abounded in shoals and other impediments to navigation: besides, the army ought to occupy a station from which reinforcements might be most easily and expeditiously sent wherever they were required. For this purpose Philadelphia, so distant from the sea, was totally unfit; by returning to New York, they could dispatch troops to any other situation that might most advantageously employ their exertions: for these reasons, government determined to direct the evacuation of Philadelphia.

The army marches through the Jerseys.

ON the 18th of June, the army passed the Delaware, and the same day encamped on the Jersey shore. The country through which they had to march was strong, and intersected by defiles; lest these being occupied should obstruct his progress, sir

sir Henry Clinton thought it necessary to carry along with him a large supply of provisions, which, together with the baggage, greatly retarded the progress of the army. The excessive heat of the weather, the closeness of the roads through the woods, the constant labour of constructing or repairing bridges in a country abounding in creeks, brooks, and marshes, were all severely felt by the British forces. Washington, having discovered the design of Clinton, detached general Maxwell to obstruct a retreat, until he himself should cross the American army. For several days the provincials were not able materially to interrupt the British army; our light troops expelled them from the defiles, and the only obstructions arose from the bridges being destroyed. The army now came to a place where the road was divided into two branches: that to the left was the shortest, but the river Rariton intervened; the passage of which, in the face of an enemy superior in number, might be both difficult and dangerous; more especially as intelligence was received, that Gates was advancing from the north, to form a junction with Washington near that river. Sir Henry Clinton accordingly took the most circuitous route, nearer to the coast. Having proceeded some miles, he encamped on the 27th on a high ground in the neighbourhood of Freehold Court-house. Washington had before kept to the left, and being now reinforced, posted himself within a few miles of the British rear. Clinton having sent forward the baggage under Knyphausen with the first division of the army, he himself with the last waited the approach of the enemy, and on the 28th of June was informed that large bodies of the provincials were marching on both his flanks, while a considerable division followed himself. Suspecting that the object of the Americans on his flanks was to overtake Knyphausen, who was now retarded by defiles, he determined to attack the provincials who hovered on his rear, that they might recal their

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their detachments from annoying Knyphausen. Though he was by this time, in prosecution of his march, descended into a plain, and the enemy had occupied the eminence which he had just left, he attacked them, compelled them to fly, and would have destroyed the whole front division, had not Washington, by occupying a defile with his main body, repressed the pursuit. The light troops who had been sent forward to attack Knyphausen, were repulsed by that general, and recalled, to join and support the main army. The loss of the British that day, in killed, wounded, and missing, amounted to three hundred and fifty-eight; that of the Americans, to three hundred and sixty-one. Little as was the difference in point of numbers, it appears, from his subsequent conduct, that general Washington thought himself worsted, as he did not afterwards attempt to disturb the British retreat, but marched away to the left towards the north river. The circumstances of the engagement produced a quarrel between Lee and Washington. According to Washington, Lee, who commanded the advanced corps, had disobeyed orders, in not attacking the enemy when they were on the plain, and he on the declivity; and farther charged him with want either of conduct or courage, in retreating before the British, though he was so advantageously posted. Lee wrote a very angry letter; Washington answered; Lee replied still more violently: a court-martial was demanded and ordered; the charges were, disrespect to the general, and misbehaviour in an unnecessary and shameful retreat. He was suspended from his command for twelve months. Meanwhile the British army arrived in safety at Sandyhook, where they found lord Howe landed the preceding day: on the 5th of July the army embarking, came to New York the same night.

Battle of Freehold Court-house.

The British army is successful,

and arrives at New York.

THE count D'Estaing sailed from Toulon the 13th of April, with twelve ships of the line and six frigates, carrying a considerable number of troops

D'Estaing arrives with a French fleet.

on

on board; but, from adverse winds, did not pass the straits of Gibraltar till the 15th of May. The British ministry, who were not unapprised of this equipment, got ready a fleet of an equal number of ships, the command of which was given to vice-admiral Byron. The armament left Portsmouth on the 20th of May, and proceeding to Plymouth, finally sailed from thence on the 9th of June, after such advices had been received as no longer left it doubtful that the Toulon squadron was bound to North America. D'Estaing arrived on the coast of Virginia on the 5th of July, but hearing of the evacuation of Philadelphia, sailed to the northward; and on the 11th of July, in the evening, came to an anchor off New York, with an apparent design of attempting to enter the harbour. The naval force under lord Howe consisted only of six ships of the line, and four of fifty guns, with a proportional number of frigates and smaller vessels. Intelligence of the count D'Estaing's approach having been received some days before he came in sight, a masterly disposition of their force for the defence of the harbour was made, under the immediate direction of the admiral, whose exertions were nobly seconded by the universal ardour which prevailed, not only in the navy, army, and transport service, but among all ranks and classes of people at New York. Some time after D'Estaing's arrival, the wind was unfavourable to the execution of his supposed intention; but on the 22d of July it changed to the eastward, and the French fleet was seen weighing anchor. The long meditated attack, it was now supposed, would instantly commence; and so confident were all it would prove abortive, that the critical moment which was to decide, not only the fate of the British fleet but of the army, was expected with impatience. But D'Estaing, to their great disappointment, as soon as his ships had weighed anchor, instead of attempting to enter the harbour,

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harbour, made sail to the southward. He afterwards changed his course, and steered directly to Rhode Island, before which he arrived on the 29th of July. Lord Howe being informed of the enemy's station, determined to attempt the preservation of the island; but, as he was inferior in number, not to venture an engagement, without some considerable advantage which might counterbalance their superiority. For several months the expulsion of the British troops from Rhode Island, had been in contemplation of the provincials. In spring, general Sullivan was sent to take the command in its neighbourhood, and made preparation for invading this province. To these dispositions major-general Pigot, who commanded at Rhode Island, was not inattentive; he readily perceived their object, and, in order to retard them, sent two detachments under lieutenant-colonel Campbell and major Eyre, who destroyed or took the vessels, naval stores, and ordnance, which were prepared for the invasion, and burnt their ship-timber and dock-yards. From these losses, the provincials were not in readiness for co-operation, when D'Estaing arrived off Rhode Island. Lord Howe, after being detained four days by contrary winds, put to sea on the 6th of August with the British fleet, which was now increased to eight ships of the line, five of fifty guns, two of forty-four guns, and four frigates, with three fire-ships, two bombs, and a number of smaller vessels. Justly deeming the weather-gage too great an advantage to be added to the superior force of the enemy, the British admiral skilfully and ably contended for that important object, while D'Estaing was no less anxious to preserve it in his own favour. The contest of seamanship prevented an engagement on that day; but the wind on the following day still continuing adverse to the design of the British admiral, he determined to make the best of the present circumstances, and to engage the enemy; forming the line

Maritime operations.

line in such a manner, as to be joined by three fire-ships which were under the tow of as many frigates. When the fleets were about to engage, a strong gale of wind increased to a tremendous storm, and continuing for near two days, by separating the fleets, not only prevented immediate battle, but so dispersed and damaged the vessels of both parties, as to render an engagement for some time impracticable. The accidental meeting of single ships after the tempest, produced conflicts which afforded new specimens of British valour and nautical skill. Captain Dawson of the Renown of fifty guns, on the evening of the 13th, fell in with the French admiral's ship, the Languedoc of eighty-four, and notwithstanding the great difference of metal attacked her with evident advantage, until darkness put an end to the contest. The next morning the gallant Dawson was preparing to renew the conflict, when the appearance of six more of the enemy's ships compelled him to retire. The same evening, captain Hotham, with the Preston of 50 guns, attacked the Tonant, a French ship of 80 guns, with similar vigour and success; being also the next morning obliged to desist, by the arrival of several other ships. On the 16th of August, captain Raynor of the Isis, also of 50 guns, attacked the Cæsar of 74, and after an engagement for an hour and a half, forced her to retreat; but being herself damaged in her rigging, was incapable of pursuit. The loss of the English ship consisted of one killed and fifteen wounded; of the enemy, fifty killed and wounded. The French ship was, besides, so much injured in her hull, that she was compelled to go into Boston to refit. No portion of the history of war can the patriotic author write, or the patriotic reader peruse, with more exulting pleasure, than accounts of actions which manifest British bravery and conduct with inferior force triumphant on our peculiar element. The disabled ships of Britain

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went to New York to refit, while the French admiral, with the same intent, betook himself to Boston. When lord Howe's squadron was repaired, being now increased by the arrival of the Monmouth, one of admiral Byron's fleet, he, on the 30th of August, sailed to the Bay of Boston, in pursuit of the enemy; but found their fleet so well secured by their position, under cover of land batteries, that he thought it prudent to retire. Returning to New York, he found more ships of Byron's squadron arrived, and the admiral himself daily expected. The naval force of England, on the admiral's station, being now undoubtedly superior to that of the enemy, lord Howe, having previously obtained leave to return to England on account of his health, resigned the command to admiral Gambier, and departed for Europe.

Attempt on Rhode Island.

THE Americans, trusting to the co-operation of the French fleet, had sent an army of ten thousand men, under general Sullivan, to Rhode Island, and commenced their operations. But the dispersion of the French fleet, and its final departure for Boston, daunted their spirits, induced many to desert, and left the remainder inferior to the British garrison. General Sullivan thereupon began his retreat, and departed in the night of the 28th of August, several hours before the British perceived they were gone. Sir Robert Pigot, the English commander, followed on the 29th, attacked the rear division, and gained an advantage; but not so decisive as to prevent the Americans from continuing their route. Sir Henry Clinton, who was hastening by sea to relieve Rhode Island, arrived one day too late to intercept the retreating Americans. Although the detention of sir Henry Clinton probably saved Sullivan's corps from destruction, yet the miscarriage of the first enterprise, which they had undertaken in concert with France, not only disappointed, but offended the Americans; and though the officers and gentlemen

men endeavoured to dissemble every appearance of displeasure, the commonalty, less restrained by delicacy and policy, gave loose to their feelings. Indeed, scarcely two nations could be found in the civilized world, whose manners could be so reciprocally repulsive, as the sanctimonious austerity of the New Englanders, and the gay levity and dissipated libertinism of Frenchmen. Between the seamen of both countries, outrages and riots took place, that were like to have been attended with very serious consequences: the leading men of Boston, however, exerted themselves successfully to appease the tumults, and to give satisfaction to their new allies. General Clinton having returned towards New York, concerted several expeditions for destroying privateers. Major-general Grey being detached to Buzzard bay in New England, landed on the banks of the Acushimet river, and executed his enterprise with such rapidity, that in less than one day he burned and destroyed all the ships in the river, amounting to more than seventy sail. The next day proceeding to Martha's vineyard, a fertile and rich island, he destroyed several vessels, and carrying off a valuable booty in provisions, returned to New York. Lord Cornwallis soon afterwards undertook the direction of an expedition to Little Egg harbour, on the coast of Jersey, which was also a general receptacle for privateers: one division of the detachment surprised and surrounded an American regiment of light horse, during the night, at Old Tapan on the north river; the greater number were killed, or taken prisoners. Captain Patrick Fergusson undertook to conduct the enterprise to Little Egg harbour; and by combined valour, activity, and skill, surprised an American legion under count Pulaski. The success of this enterprise depending on celerity of execution, a great carnage unavoidably took place. The Americans poured out virulent invectives against what they termed

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Partial and detached expeditions.

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termed the cruelty of the British; but it does not appear that any act was committed inconsistent with the laws of war. This was the last action of any importance performed by the British during this campaign in North America. The weather was that year extremely tempestuous on the American ocean; admiral Byron's fleet had been dispersed and separated by a storm on its passage from Europe. After being refitted at New York, he again went to sea with a view to block up the French fleet in Boston bay; but a second tempest drove him from that station. The count D'Estaing, taking the opportunity of the British admiral's absence, sailed to the West Indies.

D'Estaing departs for the West Indies.

Further proceedings of the commissioners.

WHILE these operations were carrying on by land and sea, the commissioners continued in America, determined to leave nothing undone that might effect their purpose. Although, hopeless of success from the first answer of the congress, they thought it necessary to reply; desiring an explanation of the sense in which the term independence was to be understood, and copies of the treaties with foreign powers, which had been referred to by the congress. Respecting the second preliminary, they declared the proposed removal of the troops inadmissible, as a force must necessarily be kept for defence against the common enemy, and for the protection of the loyalists. To this second letter of the commissioners, no answer was given.

GOVERNOR Johnstone being individually acquainted with several gentlemen of character and influence, tried to obtain a personal interview, in hopes of convincing them that it was the interest of the colonies to renew their amity with the mother-country; for that purpose he requested admission to several gentlemen, but a decided negative was returned: he also wrote letters to different individuals, paragraphs of which were construed into an attempt to corrupt the integrity of the leaders. One of these

these is addressed to general Reed, and the following is the paragraph that underwent the interpretation. After an eloquent description of the evils flowing from the existing dissensions, and the blessings of reconciliation, the writer proceeds: "The man who can be instrumental in bringing us all to act once more in harmony, and unite together the various powers which this contest has drawn forth, will deserve more from the king and people, from patriotism, humanity, friendship, and all the tender ties that are affected by the quarrel, than were ever yet bestowed on human kind." On the 16th of June, in a private letter to Robert Morris esq. formerly his friend, he says, "I believe the men who have conducted the affairs of America, are incapable of being influenced by improper motives: but in all such transactions there is risk, and I think that whoever ventures should be secured; at the same time that honour and emolument shall naturally follow the fortune of those who have steered the vessel in the storm, and brought her safely to port. I think that Washington and the president have a right to every favour that grateful nations can bestow, if they could once more unite our interests, and spare the miseries and devastations of war."

The congress published the letters above mentioned by governor Johnstone, and attempted to construe them into an endeavour to bribe. The letters themselves express no such intention[c]; they merely hold out a prospect of honour and reward for meritorious conduct. The congress, that they might inflame the passions of the people, issued a declaration, that it was incompatible with the honour of congress to hold any farther communication with governor Johnstone. The British commissioners,

[c] Mr. Belsham alleges, that Mr. Johnstone employed a Mrs. Ferguson, as the agent in his proposed corruption. As he adduces no proofs to support his assertion, although he says *the fact was clearly ascertained*, an impartial historian cannot admit the charge on so very vague an evidence.

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finding it was in vain to hope for the accomplishment of this great object, now confined their application to subordinate purposes. One of these was concerning the captured army of general Burgoyne. By one of the articles of capitulation it was stipulated, that the surrendering army should be at liberty to transport itself to Great Britain, on condition of not serving again in America during the war. Boston, the place from which it was to embark, was difficult of access to transports at that season of the year, which was the middle of winter; general Burgoyne applied for leave to march the troops to Rhode Island, that they might there embark. This request the congress not only refused, which was merely the denial of a solicited favour, but they declared a resolution of violating a solemn compact; they resolved to prohibit the embarkation of the Saratoga troops from any port whatsoever, until a distinct and explicit ratification of the convention of Saratoga should be properly notified by the court of Great Britain to congress; and entered upon their journals a resolution to that effect. This resolution was evidently a breach of the convention, as the now desired ratification was no part of that treaty. The commissioners, in a letter dated the 7th of August, remonstrated against the detention of the troops, contrary to the faith of treaties. Without answering this remonstrance, they entered into a charge against governor Johnstone, with whom they declared they could hold no communication. Governor Johnstone, to remove the pretended bar to intercourse, withdrew himself from the commission; and, in the public act by which he testified this determination, he very severely reprehended the conduct of the congress, and exposed the shallow pretext by which they endeavoured to cover their own breach of faith. These assertions respecting him, indeed, were never proved; and if they had been established, their authentication could not have justified the conduct of the

the Americans: even if Mr. Johnstone had attempted to bribe, the endeavour would not have justified *a breach of contract* with others not concerned in that endeavour. Governor Johnstone set off for Europe, leaving an able vindication of his conduct, in a letter addressed to his friend doctor Adam Fergusson. Meanwhile the remaining commissioners attempted by new arguments to shew the congress the real views of France, and how little advantage they could reasonably expect from this connexion; they also sent again their former remonstrance, without the signature of governor Johnstone; and offered to ratify, in the king's name, all the conditions of the Saratoga convention, though such ratification was no part of its terms; but the congress persevered in the breach of faith. The troops which had surrendered at Saratoga, having trusted to a convention stipulating their free return to Great Britain, were detained in captivity by the American congress violating a contract.

They issue a proclamation,

THE commissioners sent no more letters to the congress; but published, on the 3d of October, a manifesto and proclamation, addressed to the members of the congress, and the members of the general assemblies or conventions of the several colonies. In this paper, they recapitulated the steps which they had taken for executing the objects of their commission; they enumerated their repeated endeavours to restore tranquillity and happiness to America; and stated the extent and beneficial tendency of the terms which they were empowered to offer: notwithstanding the obstructions they had encountered, they still declared their readiness to proceed in the execution of the powers contained in their commission, and to treat not only with deputies from all the colonies conjunctly, but with any provincial assembly or convention individually, at any time within the space of forty days from the date of their manifesto: next addressing themselves to all

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persons, ecclesiastical, military, civil, or private, and suggesting to the consideration of each of these classes, such motives as might be supposed to have the greatest influence, they adjured them not to let pass so favourable an opportunity of securing their liberties, future prosperity, and happiness, upon a permanent foundation: lastly, they appealed to the Americans collectively, in the following terms: "It will now become the colonies in general to call to mind their own solemn appeals to heaven in the beginning of this contest, that they took arms only for the redress of grievances; and that it was their wish, as well as their interest, to remain for ever connected with Great Britain. We again ask them, whether all their grievances, real or supposed, have not been amply and fully redressed? and we insist, that the offers we have made, leave nothing to be wished, in point of either immediate liberty or permanent security." The manifesto observed, that the policy as well as the benevolence of Great Britain checked the extremes of war, when they tended to distress a people who were still considered as our fellow-subjects, and to desolate a country which was shortly to become again a source of mutual advantage. But when that country professed the unnatural design, not only of estranging her interests from ours, but of mortgaging herself and her resources to our enemies, the whole contest was changed, and the question was, how far Great Britain may, by every means in her power, destroy or render useless a connexion contrived for her ruin, and for the aggrandisement of her enemy? Under such circumstances, the laws of self-preservation must direct the conduct of Great Britain, to render the accession of the American colonies as little beneficial as possible to France. The commissioners having remained until the forty days were expired, and not finding the proclamation likely to produce any conciliatory effect, set sail for Europe. The congress soon after published

but without effect.

They return to England. The congress pub-

published a counter-manifesto, in which they affected to consider the proclamation of the commissioners as denouncing new schemes of vengeance and desolation, and declared their resolution to retaliate with the utmost severity.

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lishes a counter-manifesto.

Hostilities in Europe were entirely maritime, and confined to the sea near the north-west coast of France. The French government, as soon as it had resolved on war, employed the most assiduous and vigorous preparations to equip a fleet sufficient to cope with England. In order to distract the attention of Great Britain, they pretended to threaten an invasion; and brought large bodies of troops to their northern coast. The British government ordered the militia to be embodied, and considerable numbers of soldiers to march to the vicinity of the coast: they directed camps to be formed at Winchester, Salisbury, and St. Edmond's-bury, Warley common, and Coxheath; but they trusted the protection of the country chiefly to the fleet.

Hostilities in Europe.

From the first appearance of probable hostilities between Great Britain and France so early as November 1776, lord Sandwich had cast his eyes on admiral Keppel as the most proper person to be entrusted with the important station. This gentleman had distinguished himself at the Havannah, being then second in command, and was highly esteemed and beloved in the navy. Having conversed with Mr. Keppel, lord Sandwich found that, if the circumstances of the country required his efforts, his services would not be wanting: the admiral was indeed politically connected with opposition; but when war with France was become unavoidable, he, in consequence of his disposition before signified, was offered an appointment, which he accepted. In the beginning of June, a fleet of twenty ships of the line was ready for service. With these under his command, the admiral set sail on the 13th of that month, to protect our commerce, defend our

Admiral Keppel takes the command of the channel fleet.

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coasts, and watch the motions of the enemy. The powers reposed in the admiral, were discretionary and unlimited. Sir Robert Harland and sir Hugh Palliser, two gentleman high in his estimation and, in the opinion of the public, were respectively appointed second and third in command. At this time war had not been declared, nor were reprisals ordered. The fleet proceeded to the bay of Biscay. On the 17th of June, two French frigates were seen reconnoitring the British fleet: one of them, the Licorne of 32 guns, being overtaken by some of our ships, for some hours sailed with them; but manifesting an intention of departure, a shot was fired over her, when, to the astonishment of our fleet, she poured a broadside into the America, one of our ships of the line, and immediately struck her colours. To render this procedure the more extraordinary, lord Longford, captain of the America, and the French commander, were from their respective ships engaged in amicable conversation. Longford, instead of sinking the French frigate for her wanton attack, with cool magnanimity sent her under the stern of the Victory. The other ship, the Belle Poole, a large frigate, was closely pursued by the Arethusa of 32 guns, but not overtaken till at a great distance from the fleet. Captain Marshal, the British commander, informed the French captain, that he had orders from the admiral to conduct him to the fleet; but the Frenchman peremptorily refused to comply. Marshal fired across the ship; the answer was a broadside: a desperate engagement ensued; the Arethusa suffered much in her rigging; the Belle Poole in her hull, and great numbers were killed. The Frenchman perceiving the other so much damaged as to be unable to pursue, embraced the opportunity of retiring to the coast. This advantage, gained over superior numbers and weight of metal in the first conflict, much delighted the British sailors, and was reckoned ominous of future success.

Capture of the Licorne French frigate.

success. The next morning, the Pallas, another French Frigate of 32 guns, approaching to reconnoitre the fleet, was pursued and taken, and with the Licorne sent into Plymouth. The French exclaimed against the detention of the two frigates, and pretended to assert that Britain was the aggressor, although France had before begun hostilities, by abetting the Americans in their revolt from their mother country. Although admiral Keppel seized two French frigates for improper conduct in the commanders, he abstained from their merchantmen, as letters of reprisal had not issued. This forbearance in our naval commander may perhaps have been right; but, as the hostile conduct of France justified hostilities from England, the more effectually they had been begun, the greater would be the prospect of ultimate success. The capture of their trading vessels, as in the commencement of the former war, would have distressed the enemy, by depriving them both of sailors and riches. Admiral Keppel being informed that the French fleet lying in Brest water amounted to thirty-two ships of the line, repaired to St. Helen's for a reinforcement. The return of the admiral occasioned very great astonishment and consternation, not without a mixture of dissatisfaction; but ministers lost no time in augmenting[d] his armament; lord Sandwich instantly set off for Portsmouth, and in a fortnight, ten ships of the line were added to Keppel's fleet. In the middle of July he set sail at the head of thirty British ships of the line, one of them the Victory, of the first rate, six of 90 guns, and the rest of the third rate. The fleet was formed into three divisions, the van commanded by sir Robert Harland, the rear by sir Hugh Palliser, and the centre by the admiral himself. Reprisals having been now issued, the French fleet had left Brest harbour on the 8th of July, commanded by count D'Orvilliers,

Keppel returns to Portsmouth for a reinforcement:

sails in pursuit of the enemy.

[d] See Gibbon's Letter to Lord Sheffield, July 1778.

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villiers, and was cruising off the coast of Bretagne. On the 23d of July, in the afternoon, the fleets descried each other; the British ships being dispersed, a signal was thrown out for forming the line, but night came on before the ships were properly stationed. The following morning, the wind being westerly, it was discovered that the French had gained the weather-gage; D'Orvilliers, however, though superior in number, still avoided battle. The British admiral, chasing to windward the three following days, endeavoured to bring on a battle, but in vain. On the 27th, a sudden squall came on, so very thick as to conceal the two fleets from the view of each other. When the weather became clear, it was found that the French fleet had fallen considerably to leeward, and was near the van of the British. Instantly admiral Keppel gave the signal for forming the line; an engagement began, as the fleets were passing each other in contrary directions. At this time, the Victory and the other ships of the centre division were nearest to the enemy. Sir Robert Harland being to windward, was ready for immediate service; while sir Hugh Palliser was considerably to leeward with the rear, and out of the line. The French, who were now to leeward, had made an alteration in their movements, which seemed to indicate an intention of cutting off the rear division. The admiral, professing to entertain this apprehension, left the station in which the battle began, and sailed to leeward[e], until he was opposite to the enemy's van; while sir Robert Harland, by his orders, covered the rear. Keppel kept a signal constantly flying for Palliser to join the line, but that commander did not arrive. The admiral repeated the signal to sir Hugh Palliser to come to his station; but, before the order was obeyed, darkness prevented the re-

Descries the French fleet off Ushant.

Battle of the 27th of July,

[e] This evolution was afterwards the foundation of one of the principal charges against Admiral Keppel; it being represented as wearing the appearance of flight, and thus bringing disgrace on the British flag.

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newal of the contest. The French admiral ranged his fleet so as to appear determined to fight the next morning; but in the night they quitted their station, leaving three frigates with lights at proper intervals, to appear to the British the leading ships of their three divisions. The next morning the French fleet was at so great a distance, that the admiral did not think it expedient to renew the pursuit; it would, he alleged, be impossible to overtake them, and his own ships would be exposed to danger from a lee-shore: he therefore desisted from the attempt, and returned to Plymouth.

indecisive.

The French fleet retires during the night.

Apprehensive of a lee-shore, Keppel forbears pursuit.

Though this battle by no means answered the expectations that British experience of nautical valour and skill naturally and reasonably formed, from a conflict between thirty of our ships of the line and thirty-two of the French, it effected one very important purpose; the French fleet being obliged to go to port to refit, several British fleets of merchantmen from the East and West Indies and the Mediterranean arrived in safety. Impartial examiners very easily perceived that there was a want of concert in the disposition of the fleet on the day of battle. Admiral Keppel, in his letter to the admiralty, expressed himself, in general terms, satisfied with the conduct of officers and men; it, however, soon appeared that he was much dissatisfied with the procedure of Palliser.

Both the French and English fleets went again to sea in the month of August, but did not again meet during this campaign. Considerable captures were made by frigates and privateers on both sides, but the balance of prizes was greatly in favour of Britain. Two Liverpool privateers took a French homeward-bound East Indiaman, estimated at 320,000*l.*; and captain Dawson of the Mentor took another, valued at 240,000*l.*

Captures by frigates and privateers.

Balance favourable to England.

The American privateers, trusting to the alliance with France, came this year to the coast of Europe, and

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Depradations by Paul Jones;

and committed various depredations. The most daring commander of these ships was the noted adventurer Paul Jones. This person had been gardener to the earl of Selkirk, at a seat near Kirkcudbright on the south-west coast of Scotland. Leaving his employment abruptly, on account of some umbrage which he had conceived against the family, he had betaken himself to sea, and by professional skill, together with intrepid boldness, arrived at the appointment which he then held. Jones, directing his efforts against the coasts with which he was best acquainted, landed at Whitehaven in Cumberland, and set fire to a ship in the harbour, with the intention of burning the town, but was driven away by the exertions of the inhabitants. From thence he proceeded over Solway Frith to the seat of lord Selkirk, and pillaged the house of all the plate, jewels, and other valuable effects; but though he greatly alarmed the lady and family (his lordship being in London), no violence was offered to any individual.

he plunders the seat of lord Selkirk.

Crimination and recrimination of Keppel and Palliser.

ADMIRALS Keppel and Palliser had each numerous partisans; the difference between them, therefore, spread itself through their fleet, the navy, and kingdom. Keppel's supporters alleged, that if Palliser had obeyed the signal, the action must have been general, and the consequence a complete victory to Britain. Palliser's friends asserted, that the admiral lost the moment of victory, when, instead of bearing forward on the enemy with his full force, he moved to leeward, lost the afternoon by that movement, and thus allowed the enemy to escape. To this principal imputation of Mr. Palliser against Mr. Keppel, several other charges were added, that he had formed his line negligently; that he had not made proper dispositions for covering the rear division; that he might have renewed the battle on that afternoon; that the next morning the French fleet was not at so great a distance as to render pursuit unavailing; and

und that, in short, the admiral had not done his duty. CHAP. XXI.

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WHETHER Mr. Palliser's censure on Mr. Keppel was right or wrong, its grounds was his conduct on the 27th and 28th of July, 1778. After that time, the vice-admiral again went to sea under the admiral; delivered him a letter, testifying his majesty's approbation of his conduct; corresponded with him in terms of friendship, and in his letters expressed a very high opinion of his superior disinterestedness and zeal for the service [f]. This conduct, however, of Mr. Palliser relates only to his sincerity and consistency, but is totally irrelative to the truth or falsehood of the charges. After the fleet returned to harbour for the winter, admiral Keppel was severely censured by ministerial publications, and admiral Palliser by writings favourable to opposition. In a newspaper of the latter class an anonymous letter was inserted, strongly reprehending sir Hugh Palliser. The vice-admiral, having read this production, applied to Keppel to justify his conduct, and required him for that purpose to sign a statement, which not only would have exculpated Palliser, but criminated himself. The admiral having refused to comply, Palliser published in one of the morning papers a long and particular detail of the action of the 27th of July, together with an introductory letter signed with his name. The performance teemed with censure against the conduct of the commander in chief. After indignant remarks and severe recrimination from Keppel, and reciprocal repetition of invective, the trials of both were ordered.

They are respectively tried and acquitted.

ADMIRAL Keppel was first tried: the charge consisted of five articles, detailing the objects already narrated. After it had continued from the 7th of January 1779, until the 11th of February, the

[f] See Proceedings of the Court-martial on admiral Keppel.

court

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court not only acquitted the admiral, but declared the charges false, slanderous, and malicious. When the news of the sentence reached London, very general illuminations, instigated by political partisans, took place for two successive nights. The populace was inflamed by a notion very industriously disseminated, that the proceedings against admiral Keppel were at the instance of ministry, in order to screen their own misconduct in furnishing him with an inadequate force. Under this impression the mob committed many outrages on the houses of lord Sandwich, and other ministers.

PALLISER, soon after the acquittal of Keppel, demanded a court-martial on himself. The charge against him was not specific, but a general assertion of non-performance of duty; and after a trial which lasted from the 12th of April till the 5th of May, he was acquitted.

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State of public sentiment and opinion at the meeting of parliament. — The nation is disposed to strenuous exertion. — The king's speech intimates dissatisfaction with the events of the campaign. — Strictures of opposition on the employment of Indian savages — appeal to the bishops thereon. — The dispute between Keppel and Palliser is introduced into parliament. — Mr. Fox makes a motion for censuring lord Sandwich — which is negatived. — Disputes arise in the navy between the partisans of the respective admirals. — Mr. Fox's motion for the removal of lord Sandwich. — Inquiry into the conduct of generals Burgoyne and Howe, and admiral lord Howe. — The evidence is at first favourable to sir William Howe. — Testimony of general Robertson and Mr. Galloway unfavourable. — Inquiry abruptly abandoned. — Inquiry into the conduct of Burgoyne — clears his character from specific false aspersions. — Riots in Scotland from enthusiastic zeal against popery — imputed by Mr. Burke to the supineness of ministers. — Rupture with Spain. — Spain evidently the aggressor. — Resolutions and measures of parliament thereon. — Session rises.

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State of public opinion and sentiment at the meeting of parliament.

THE refusal of the Americans to accept of the proffered terms, their alliance with our ancient enemy, and their incitement of that enemy to join them in effort for the reduction of this country, now estranged from their cause many Britons, who formerly favoured them, and reprobated the conduct of administration. Impartial patriots reasoned, that deficient as ministers might be in the foresight, wisdom, and vigour requisite at so arduous a conjuncture, reproach and invective were not the means of enabling them to promote the national advantage; that we were now in a state of difficulty and danger, in which retrospection of causes was much

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much less a subject of inquiry, than the means of extrication. Strenuous exertion was now generally deemed the only sure way of delivering us from war, and enforcing an honourable peace. To promote vigorous efforts, the most effectual means was unanimity. From these considerations, though the number of those who venerated the ability of ministers by no means increased, yet a much greater majority of the nation than before was now disposed to second their efforts.

1778. The nation is disposed to strenuous exertion.

PARLIAMENT met on the 25th of November 1778. His majesty's speech very clearly, concisely, and justly described the conduct of France: "In the time of profound peace (said the king), without pretence of provocation or colour of complaint, the court of France hath not forborne to disturb the public tranquillity, in violation of the faith of treaties and the general rights of sovereigns; at first, by the clandestine supply of arms and other aid to my revolted subjects in North America; afterwards, by avowing openly their support, and entering into formal engagements with the leaders of the rebellion; and, at length, by committing open hostilities and depredations on my faithful subjects, and by an actual invasion of my dominions in America and the West Indies." His majesty did not express himself satisfied with the success of the late campaign, but trusted to future efforts.

The king's speech intimates dissatisfaction with the events of the campaign.

OPPOSITION, considering the speech as the production not of the king but of the minister, contended, that in asserting the success had not been proportioned to our efforts, it declared a falsehood. The advantages gained were far greater than could be expected from the inferiority of our fleets, and the tardiness of our preparations. The speech regretted the failure of conciliatory measures. These were themselves humiliating to England, and unsatisfying to America: but, notwithstanding its defects and absurdities, the adoption of

of that scheme could not be said to be wholly useless; it had destroyed every fallacious argument by which ministers had beguiled the nation into the fatal contest with America, for it surrendered all its professed objects. The supporters of ministry justified the past conduct of the war, and the preparation and distribution of the armaments that were employed in the summer. By delaying the departure of admiral Byron, D'Estaing was prevented from joining the Brest fleet, and giving France a decided superiority in the channel. The evacuation of Philadelphia was also, they asserted, a measure of wise policy, from the accession of France to the war: New York was much more centrical, nearer to the coast, and fitter for sending reinforcements to the West India Islands, or wherever they might be wanted. Opposition admitted the propriety of evacuating Philadelphia, but contended that the reasons in which it was founded, demonstrated the folly of the whole system. The army in America was reduced to this alternative, either by retaining its acquisitions to divide and debilitate its own strength, or else to stand exposed to disgrace and mortification, and by retracing its steps, to shew the inutility of all its labours. No man could expect to conquer a continent by possessing a single town; therefore, while the nation persisted in carrying on an offensive war in America, whether our army advanced, retreated, or stood still, the effect would be the same, a fruitless, expensive, and cruel, because unnecessary, war. The amendment was rejected by a great majority. Patriotism and wisdom might before have dictated opposition to the ministerial measures respecting America while there were hopes that by combating the plans of government they might produce a conciliatory change: now, however, the colonists were avowed enemies, and were engaged in a hostile confederacy against Britain; and there was no alternative but victory

or

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or submission. If ministry might be justly charged with having brought us, by their ignorance and want of political abilities, into so bloody and expensive a war, opposition did not employ the most efficacious means for procuring a safe and honourable peace. Perpetual invectives against administration were far from tending to depress the enemy, or strengthen the country. Common sense could never consider a regular and uniform system of obstruction to his majesty's councils, as the most effectual mode of promoting the success of his arms.

Strictures of opposition on the employment of Indian savages.

THE chief object of opposition during this session, was to censure the conduct of the war, and to impute all real or alleged miscarriages to the incapacity and infatuation of ministers. On the 4th of December, a motion was made for an address to his majesty concerning the late manifesto of the commissioners, to declare the displeasure of parliament at certain passages of the proclamation, as totally unauthorized by the act of the legislature for appointing these commissioners, and in themselves utterly inconsistent with the humanity and generous courage which at all times distinguished the British nation, subversive of the maxims which have been established among Christian and civilized communities, derogatory from the dignity of the crown of this realm, and tending to debase the spirit and to subvert the discipline of his majesty's armies. The supporters of the motion interpreted the passages in question in nearly the same manner as the Americans professed to have done, and considering them as replete with denunciations of the most savage barbarity. On this assumption their arguments proceeded, and speakers expatiated on the wickedness and madness of the new kind of warfare, which converted British soldiers into butchers, assassins, and incendiaries, and proposed for the model of civilized Britons the practices of Indian

savages. Contrary, they alleged, as the threatened mode of carrying on war was to humanity, it was no less inimical to sound policy, as the colonists could retaliate on the coasts of England, Scotland, and Ireland; and various parts of his majesty's dominions must, by their exposed situation, suffer the most dreadful cruelties from retaliation: on these grounds, they proposed to request that it should be disavowed by his majesty.

To this deduction of consequences, ministers replied, by denying the principle; the proclamation, they contended, denounced no new species of war, no kind of hostilities dissimilar to those which have been usually carried on between belligerent nations in every part of the civilized world. In the former part of the American war, Britain had considered the colonists not as enemies, but as subjects, partly rebellious from disposition, but chiefly misled by mischievous counsel; it had therefore been their wish to instruct and persuade, as well as to compel: but now the provincials had thrown themselves into the arms of French enemies, and were henceforth to be treated like any other foes, so as most speedily and effectually to annoy and weaken the hostile cause. This was the amount of the reprehended portion of the manifesto, such was the intention of its framers, such the meaning which its expressions plainly and explicitly conveyed. They could not therefore consent to address his majesty, that he might disavow intimations which, instead of censure, deserved the highest approbation. After a very hard contest between the censurers and supporters of this act of the commissioners, an occurrence took place, which appeared to give the former a considerable advantage. Governor Johnstone speaking on the subject, exhibited the irritation of violent passion, much more than the sound vigorous reasoning by which his eloquence was generally distinguished; he declared

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the manifesto to have meant a desolating war, and justified it in that view as not only right but necessary. Opposition contended, that this avowal by one who had been a commissioner, proved their assertion. Ministers, however, adhered to their rejection of the interpretation. In discussing this question, general Howe, after reprobating the alleged plan of war, deviated from the question, to introduce a charge against the secretary, concerning his conduct to the generals who commanded in America. To the mal-administration of Germaine, Howe imputed his own request to resign his employment, and strongly urged the institution of a parliamentary inquiry, in order that the conduct both of the commanders and minister should be fully examined, justice done on all sides, and the nation acquainted with the true cause of that failure of success which it had hitherto experienced. The secretary, after expressing his astonishment at the accusation, and vindicating his conduct, declared, that he certainly should not object to an inquiry when regularly proposed, as he was confident it must terminate to his honour. Returning from irrelevant topics to the subject at issue, the house was called for a vote, and the motion was negatived by a majority of two hundred and nine to one hundred and twenty-two.

Appeal to the bishops thereon.

WHEN the proclamation was discussed in the house of peers, an appeal was made to the bench of bishops, to exert that charity, humanity, and abhorrence of blood and cruelty, which were the leading tenets and distinguishing characteristics of christianity, upon a subject which not only came directly within their cognizance, but in which they seemed bound by their character to exert the peculiar and most exalted principles of their religion, in preventing the wanton butchery and destruction of mankind. Their interference was required to prevent the destruction, and spare the blood, not only of men

men and christians, but of Englishmen and protestants, like themselves; to crush in the outset an abominable system of warfare, which in its progress and consequences would bring desolation and ruin on their own flocks. The legal powers with which they had been invested by the constitution for such pious purposes, would be found, in the present instance, fully equal to the duty and emergency. They were the moderators, ordained by the wisdom of the constitution, to check the rage, restrain the passions, and control the violence of temporal men. Their simple votes upon this occasion would at once fully express their detestation of the inhuman system; and, joined with those of the secular lords who held the same principles, would cure its effects. The bishops were very far from contesting that it was incumbent on them to exert their abilities and influence for moderating the passions of men, and preventing the wanton effusion of christian blood; but, as the lords in opposition had not proved that efforts against revolted subjects, who were leagued with inveterate enemies, were wanton, and they thought the annoyance of such foes necessary for self-defence, they did not consider[s] themselves as justified in censuring the manifesto.[8]

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CENSURE of ministry had constituted a considerable part of the proceedings of opposition in the former years of our dispute with the colonies; but the reprehension had been combined with wise legislative propositions for removing the evils of which they complained. During the present session, reproach of administration constituted nearly the sole conduct by which they professed to discharge

[8] Mr. Belsham, uniformly desirous of throwing out indirect or direct charges against our ecclesiastical establishment, in mentioning a protest that was entered on this occasion, says, "it is painful to remark, that the name of one bishop only, the venerable Shipley of St. Asaph, is to be found in the long and illustrious train of signatures affixed to this memorable protest." This censure of our prelates, Mr. Belsham supports by no proof; it rests entirely upon his own authority.

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their duty, as senators deliberating for the good of their country. Every commander whose success had not answered the expectations formed from the means with which he was supplied, imputed his miscarriages to ministry; and as soon as he made that imputation, was supported by opposition with an eagerness that greatly outstripped the evidence. On the 28th of December, a debate arose in the house of commons, on a proposed vote of seventy thousand seamen for the service of the ensuing year. During the discussion, it was observed by opposition, that as very different representations had been given of the naval proceedings of Admiral Keppel's fleet on the 27th and 28th of July, an inquiry ought to be instituted for ascertaining the truth. Preliminary to such investigation, it was proposed, that as both officers, being members of the house, were then present, one or both of them should afford some satisfaction on the subject. Admiral Keppel having risen in compliance with this request, made a speech, of which, though some parts were sufficiently intelligible, there were others by no means explicit, and of which the exact import could not well be apprehended from the expressions themselves, though the tendency and intent might be gathered from various circumstances. He affirmed, that on the occasion in question, he had done his utmost against the enemy; the glory of the British flag had not been tarnished in his hands, and were he again in the same situation, he should act in the same manner; but the oldest and most experienced naval officers would discover something in every engagement with which they were before unacquainted, and he acknowledged, that day had presented to him something new. He impeached no man (he said) of a neglect of duty, because he was satisfied the officer who had been alluded to had manifested no

The dispute between Keppel and Palliser is introduced into parliament.

want of courage, which was the quality most essential to a British seaman.[h] All his direct complaints or animadversions were limited to an anonymous letter imputed to that gentleman, and another letter avowed and signed by him, and both published in a newspaper. In the subsequent part of his speech, complaining of the abuse to which he had been exposed in diurnal publications, he said he did not charge ministers with being the authors or promoters of the invectives against him; they, on the contrary, seemed to be his friends, and caressed and smiled upon him: or if any ministers were capable of vilifying and secretly aspersing him, and endeavouring to cut his throat behind his back, *he did not think they were then near him.*[i] Sir Hugh Palliser charged the admiral with dark and indirect insinuations, called on him to state his charges, justified his own conduct, and expressed his wish for a public inquiry; the institution and result of which I have already narrated as far as concerned the two admirals. Opposition in parliament condemned the admiralty for granting a court-martial at the instance of Palliser. They should (they said) have acted as moderators upon this occasion, given passion time to cool, and interposed their influence in healing the differences between two brave and valuable officers, at a time when their services were so much wanted: instead

[h] The reader must here see very indefinite expressions, and reasoning by no means conclusive. What the alleged novelty that had occurred in the engagement was, he did not explain, though, without great likelihood of mistake, common sagacity might conjecture what meaning he intended to convey. *He impeached no man of neglect of duty*, BECAUSE the officer alluded to *manifested no want of courage*. Though courage be, as he observed, the most essential quality of a seaman, yet it is not his only duty, and there might be grounds of impeachment against an officer who had exerted courage. In fact, admiral Keppel does not disavow the existence of other grounds; but the exclusive admission of that quality tends by a natural construction to insinuate a denial, or, at least, a doubt of the performance of other necessary duties by the individual to whom he alluded.

[i] Lord Sandwich, first lord of the admiralty, and a member of the other house, being in antiministerial works represented as both politically and personally inimical to admiral Keppel, was understood to be meant by this insinuation.

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of which they blew up the flame, by precipitately receiving a rash, hasty, and passionate accusation; and thereby drawing on the fatal dissensions in the naval service, and the numerous evils to the public, which they had themselves declared must be inevitable consequences of such a trial. The commissioners of the admiralty strenuously insisted their constitution to be such, that in all matters of accusation they were obliged to act ministerially, they had no judicial power; that, when a complaint was preferred, they were, as a matter of course and in discharge of their office, not only compelled to receive it, but to give the necessary direction for the trial.

THE vice-admiral had preferred an accusation consisting of five separate articles, or charges, properly drawn up, and specifically pointed. What line of conduct then could the admiralty board pursue? They must either prejudge the truth of those charges, or admit them to be such as were fit to be sent to the consideration of a court-martial. The first, they neither could, nor dared to do, being totally ignorant of their truth or falsehood; and with the second, they were compelled to comply, because the matter allowed no other alternative. Opposition insisted that the admiralty was not only endued with discretionary powers competent to the purpose, but that the exercise of these was one of their great and principal duties, and among the most useful purposes of their institution. They represented their omission of so important a duty on the present occasion as highly culpable; but, in endeavouring to ascertain the powers of the admiralty, they argued more from their own conception of expediency, than from either statute or usage. The restrictions (they said) by which they pretended to be bound, would establish a principle that must destroy all naval service, and leave every superior officer at the mercy of his inferior. If the whole fleet

fleet of England were upon the point of sailing on the most sudden and critical emergency, whether for our immediate defence against invasion, or for the preservation of the most valuable foreign interest, according to this doctrine every petty officer, through folly, malice, or treachery, might prevent the whole design and operation, only by laying some charge against the commander in chief, which would necessarily detain all the principal officers, either as witnesses or judges. From this extraneous discussion, returning to the subject at issue, the house by the previous question dismissed the motion. CHAP. XXII. 1778.

DURING the recess of parliament the admiral's trial began; and on his acquittal, a motion was made in the house of commons, that the thanks of the house should be given to the honourable Augustus Keppel for his distinguished courage, conduct, and ability, in defending the kingdom in the course of the last summer, effectually protecting its trade, and more particularly for his having gloriously upheld the honour of the British flag on the 27th and 28th of July: the proposition was adopted, there being only one dissentient voice. The thanks of the lords, in nearly the same terms, were voted in four days after, with every external appearance of the most perfect unanimity. The impartial reader may, perhaps, find a difficulty in comprehending what the acts of Keppel were on the 27th and 28th of July, which drew forth from parliament such testimonies of gratitude; and what essential service the chief naval commander on that memorable occasion rendered to his country. It was very evident, that ministers did not conceive such an opinion of his public conduct, as their assent to the vote of thanks might indicate: but as the tide of popularity ran so high in his favour, they did not think it prudent to go against the current. This compliance with a proposition of their adversaries, 1779.

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manifestly contrary to their own judgment, was very frequent in lord North's administration; and appeared to arise from a desire of deprecating part of the censure which they so often experienced: an attempt, however, by unjust and unnecessary concessions to prevent obloquy, was an expedient of weakness and timidity, and demonstrated the absence of that firmness with which conscious wisdom and rectitude pursue their purposes. The admiralty informed Keppel, that in consequence of his acquittal he was required to resume his command; but though he complied with the requisition, yet the terms in which it was expressed manifesting no approbation of his conduct, he soon after asked and received his majesty's leave to resign.

Mr. Fox makes a motion for censuring lord Sandwich,

Mr. Fox followed the acquittal of his friend and the thanks of the houses, by a motion for censuring lord Sandwich, intended (he said) as a prelude to another for his removal from office. The alleged ground of censure was, the inadequacy of the force that had been furnished to Keppel: when he sailed with twenty ships of the line, there were thirty sail of the line in Brest water fit for service. Either ministers did or did not know that fact; if they knew it, it was an act of the highest criminality to commit the fate of this country to so great a disparity of force: on the other hand, if the first lord of the admiralty was ignorant of the state of the French navy, it was an ignorance totally inconsistent with the performance of his official duty. Ministers answered, that there was no evidence of the fact on which this charge was grounded: it appeared from the papers of the captured Licorne, that the alleged number was then in a state of preparation, but not that they were actually equipped; and in the conduct of the French it appeared, that they were not then ready for sea: since, though they knew that an English fleet of twenty

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twenty ships of the line were at sea, they did not leave harbour till a fortnight after. The motion was rejected by a majority of 204 to 170, a difference much smaller than on any question that had occurred respecting the war. Mr. Fox made a second attack, which was directed against the whole of lord Sandwich's administration: stating the objects which ought to have been considered by the naval minister, the expence incurred, and the armament provided, he endeavoured to prove that the expence was sufficient for the attainment of all the objects, but that the force prepared was totally inadequate; on these grounds he moved a vote of censure. Admirals lord Howe and Keppel, by professional statements, and arguments derived from these, supported Mr. Fox's positions. Ministers answered, that the allegations of their opponents were founded in assumptions not supported by facts, and that they could not join in a vote of censure for unsubstantiated charges; on a division, the motion was rejected by a majority of two hundred and forty-six to one hundred and seventy four.

which is negatived.

Great dissensions, originating in the dispute between Keppel and Palliser, were now prevalent in the navy, and very serious apprehensions were entertained of their consequences. A declaration of admiral Keppel in the last debate, that he would not accept of any command under the present ministry, powerfully tended to fan the flame. Several officers of high rank and character immediately quitted the service, or declared they could not act under the present system. The political parties reciprocally accused each other with having caused these discords.

Dispute arises in the navy between the partisans of the respective admirals.

Sir Philip Jennings Clerk, encouraged by the success which his bill for the exclusion of contractors the preceding session obtained in the house of commons, attempted its revival; but he soon found that a great change of opinion had taken place.

It

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It was rejected by a majority of 165 to 124. On the 10th of March, Mr. Frederic Montague proposed a bill for granting farther relief to protestant dissenting ministers and schoolmasters. The enlightened liberality of the age had, it was said, diminished the legal restrictions upon the Roman catholics, therefore the protestant ministers had a fair claim to partake of legislative indulgence. The extent and bounds of toleration depend entirely on expediency, founded in the nature of the opinions professed, and their practical tendency. In the conduct of the class whose relief was now sought, no objection of either justice or policy could be adduced to prevent it from being granted. In the present state of loss, calamity and danger, it was necessary to unite the interests and affections of all our countrymen, and to concentrate into one mass all the remaining strength of the empire. Two classes of senators had, as we have seen, opposed former applications of dissenters: the first, from high church doctrines; the second, from views of political expediency. In the present instance, the second class, however, was favourable to the bill, which, though violently opposed by members of the first, passed both houses by great majorities, and received the royal assent. The chief object of this session continued to be the discussion of executorial conduct. Admiral Pigot, brother of lord Pigot, late governor of Madras, exhibited an historical detail of the object of his late brother's appointment, his conduct, the treatment which he experienced from the company's servants resisting his execution of the orders of their masters, his sufferings, and consequent death. After calling witnesses to establish his proceedings, he moved an address to his majesty, praying that he would be graciously pleased to give directions to his attorney-general to prosecute George Stratton, Henry Brooke, Charles Floyer, and George Mackay, esquires,

esquires, for ordering the governor and commander in chief, George lord Pigot, to be arrested and confined under a military force; they being returned to England, and now within the jurisdiction of his majesty's courts of Westminster-hall. Mr. Stratton, being a member of parliament, and present at this very time, entered into a defence and vindication of his own conduct and that of his colleagues, in which he imputed their proceedings to a necessity arising from the violent and arbitrary acts of lord Pigot; but his arguments made so little impression on the house, that the resolutions were immediately adopted without one dissenting voice. The prosecution took place; each was sentenced to pay a fine of 1000*l.* a very inconsiderable sum to men of immense fortunes, and which could hardly operate as a punishment.

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Mr. Fox's motion for the removal of lord Sandwich.

Mr. Fox, on the 19th of April, moved an address to the throne for the dismissal of lord Sandwich from his majesty's service, for misconduct in office. The alleged grounds were the same collectively which had before separately been rejected by the house; Mr. Fox, however, with his usual ingenuity, endeavoured to shew that the case was different, between a motion for censure and for removal: the former were judicial inquiries, the present was a deliberative question of expediency. A motion for censure required, in point of justice, a specification and certainty of the offences imputed; a motion for dismissal from employment ought to be adopted, if it was probable that the business of the employer would be better performed by another. The whole of the subject proposed might be proved in a few short questions and answers. Was lord Sandwich equal to the performance of his official duties, with safety and honour to the nation? Has he hitherto done so? What reason is there for supposing that he who has failed in his past duties, shall act more ably for the future? The majority of members

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members did not admit Mr. Fox to have established the alleged unfitness of lord Sandwich, and therefore voted against his removal.

Inquiry into the conduct of generals Burgoyne and Howe, and admiral lord Howe.

MUCH censure had been thrown out against general Howe, especially in writings alleged to be patronized by ministers; and it was confidently and vehemently asserted, that if his conduct had been wise and vigorous, he might have repeatedly terminated the war. Both the Howes strongly urged an inquiry, as the sure means of vindicating their character. Lord North replied, that as government had advanced no charge against the noble brothers, no vindication was necessary, and that ministers had no share in the invectives; but though he did not approve of an inquiry, he would not oppose its institution, and readily agreed to the production of the papers which were wanted for carrying it into effect. In these was included the whole correspondence between the ministers and commanders in America, from Howe's arrival at Boston in 1775, to his departure from Philadelphia in 1778; also the accounts, returns, and other documents, tending to shew the state of the army at different periods; the real movements and operations, as well as the different plans of action, which had been proposed, discussed, or concerted by the ministers and generals. Ministers apprehending that their own counsels, and not the conduct of the commanders, was the real object of the scrutiny, proposed that the examination of witnesses should be confined to military subjects: and on the 6th of May, lord Cornwallis, major-general Grey, sir Andrew Snape Hammond, major Montresor, chief engineer, and sir George Osborne, were examined. The result of their evidence was, that the force sent to America was at no time equal to the subjugation of the colonies; that the difficulty chiefly arose from the almost unanimous hostility of the people to the British government, and the natural obstructions of the country,

country, so abounding in woods, rivers, hills, and defiles. Their evidence descending to accounts of particular actions, from which the chief censure of the general had arisen, tended to justify his conduct. General Howe himself endeavoured to prove, that he had uniformly stated to the American minister the utter impossibility of reducing America without a much greater force; that he had accompanied his proposed plan for the campaign of 1777, with a requisition of a reinforcement of twenty thousand men, or at the least fifteen thousand, as indispensably necessary; that the minister had uniformly supposed the number of loyalists to be much greater than it really was; trusting to their co-operation, he could not be convinced that so great a reinforcement was wanted, and therefore had not sent a fifth part of the number. Concerning the northern expedition, no concert had been proposed between him and the general of that army, nor did he hear any support was expected from him, until a letter from the secretary, which reached him in the Chesapeak, expressed a hope that he might be able to co-operate with Burgoyne. Ministers perceiving that the evidence adduced was not only intended, but directed to the crimination of themselves, much more than an inquiry into the conduct of the general, proposed to call witnesses on the other side. The chief evidences were major-general Robertson, deputy governor of New York, and Mr. Joseph Galloway, an American lawyer, who, after having been a member of the first congress, joined the British army. The testimony of Mr. Robertson rather expressed general disapprobation of sir William Howe's conduct, than advanced particular charges: Mr. Galloway's accusations, specific and direct, included the various topics of military error or misconduct which had been so repeatedly alleged against the general. But, without questioning the veracity of Mr.

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The evidence at first favourable to sir William Howe.

Testimony of general Robertson and Mr. Galloway unfavourable.

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Mr. Galloway, his competency may be doubted: he was chiefly stating, not facts, but opinions, of which the subject was a detailed series of military operations; and he being no military man, the less authority was due to his judgment. Mr. Galloway made one very extraordinary assertion, that four-fifths of the Americans were zealously attached to the British government; if the proportion of loyalists had been really so great, they could have easily overpowered the revolters, without the assistance of one British soldier: so exaggerated an account, manifesting at least glaringly inaccurate observation, very much weakened the credibility of his assertions. Sir William Howe requested leave to call witnesses to controvert Mr. Galloway's asseverations: ministers objected to this mode, as productive of too much delay; he was, however, allowed to cross-examine this witness. A day being fixed for that purpose, and sir William not having attended at the appointed hour, the committee was suddenly dissolved, and the question at issue was left undecided. Opposition had eagerly demanded, and prosecuted an inquiry, while the testimony in exculpating the commander tended to criminate ministry; but when the evidence took a different turn, their ardour manifestly subsided. Respecting general Howe, the principal witnesses in his favour were much more competent than the principal witnesses against him: lord Cornwallis and general Grey, military men, spoke concerning actions in which they were themselves engaged; Mr. Galloway, not a military man, spoke from hearsay. It must, however, be observed, that in inquiries concerning *what might have been done*, testimony is necessarily inference, not the result of recollection and veracity, but also of opinion and conjecture. The judgment of the wisest men, concerning subjects in which they are peculiarly skilled, may be warped

The inquiry is abruptly abandoned.

warped by their affections. Many other professional men, having considered in detail the force and opportunities of general Howe, drew a totally different conclusion. CHAP. XXII. 1779.

WHATEVER estimate the impartial reader may have formed of the merit of general Howe's exertions, he must immediately perceive, that the inquiries proved ministers to have continued in that state of misinformation and ignorance respecting the sentiments of the Americans, in which their fatal plans and measures originated; and also, that they did not send to America the force which the general required.[i] Ministers, by patronising Mr. Galloway, and other accusers of the late commander, demonstrated themselves disposed to promote an opinion of his culpability. If they conceived the late commander not to have discharged his duty, ministers, in not ordering a court-martial to establish the imputed misconduct, neglected their duties to their king and country; if they thought him innocent, it was mean and illiberal in them to favour and pension his revilers[k]: if he was guilty, they acted weakly and timidly in not bringing forward the proofs. Lord North and his colleagues, however, are exempted from one charge, often adduced against the counsellors who have appointed a commander in chief to conduct an expedition that proves unsuccessful. His military reputation *at the time he received* this last commission, justified the appointment; though there might be persons whose expectations were not fulfilled by general Howe's campaigns, none could with justice at the out-set have

[i] Our immortal war minister, secretary Pitt, after he planned an expedition, and selected an officer to conduct it, immediately asked him, what force he would deem necessary? On being informed, he always ordered a still stronger armament; but different, indeed, was the war minister of 1759 from the war minister of 1777.

[k] Mr. Galloway, and several others of inferior note, who inveighed against general Howe, received pensions. Galloway's evidence was published in a pamphlet, and circulated with great industry by the friends of administration.

affirmed

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affirmed that he was a man whose talents and character did not justify reasonable expectations of success.

1779.

Inquiry into the conduct of Burgoyne

GENERAL Burgoyne also insisted on an inquiry into his conduct. On his return from America the former year, he had applied for a court-martial; which was refused him, on the ground that while he was prisoner his preceding conduct was not cognizable by any tribunal in this country. He had been refused admittance to the sovereign, and complained loudly of the court and ministry; he repeatedly solicited a parliamentary investigation, but Germaine had declared that his request could not be granted until after a military scrutiny, which he affirmed to be at that time impracticable; and when an inquiry was allowed to general Howe, Burgoyne having resumed his solicitation, his requisition was at last agreed to. The principal witnesses were, sir Guy Carleton, the earl of Balcarras, captain Money, the earl of Harrington, major Forbes, captain Bloomfield, and Colonel Kingston. The evidence tended to overthrow some severe charges and censures which had been insinuated or directed against Burgoyne's conduct, and particularly detected two falsehoods then very commonly believed: first, that general Philips, the evening before the convention of Saratoga, offered to force his way, with a specified part of the army, from Saratoga back to Ticonderago: secondly, that the late gallant Fraser had expressed the utmost disapprobation of the measure of passing the Hudson's river. The question, however, was undecided, whether his orders for proceeding to Albany were peremptory or conditional: some doubts were also left, respecting both the design and the mode of conducting the expedition to Bennington. These inquisitorial proceedings occupied parliament during the greater part of the session.

cleared his character from specific false aspersions.

Riots in Scotland from en-

RIOTS, which had arisen in Scotland from groundless apprehensions concerning popery, were, by the ingenuity

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ingenuity of opposition, made subjects of accusation against ministry. The Roman catholic bill, that passed during the preceding session, excited great alarms in North Britain, as it was supposed to be the intention of parliament to extend the relief to the Scottish catholics. When the law was enacted in 1778, the general assembly of the church of Scotland happened to be sitting. The well-intended but unadvised zeal of some members of that respectable body, proposed for clerical discussion the late act, and made a motion for petitioning the legislature not to extend the bill or any of its provisions to Scotland, and supported the proposition by detailing the common arguments against popery. Mr. Dundas, a lay-member of the assembly, shewed that the law repealed in England had not originated in fear of popery, and was not intended as a bulwark against its encroachments, but sprang from a design of the jacobite party to render king William and his whig ministers unpopular: that the jacobites expected the whigs would oppose that bill, and intended to impute that opposition to a partiality for the Romish faith; but that the whigs perceiving the object of their adversaries, suffered it to pass, though very inconsistent with their principles of freedom and toleration.[1] Doctor Robertson, with some able coadjutors of his own order, deprecated the agitation which tended so much to excite the alarm and discontent of the people, and demonstrated the absurdity of anticipating the intention of legislature, by petitioning parliament against a bill not actually proposed. The motion was negatived through the influence of those able and enlightened men, though it produced the effect which their sagacity had apprehended. The populace was soon taught to conceive, that the successful opposition sprang from a predilection for the popish doctrines, and burned with zeal against antichrist. To oppose popery,

thusiastic zeal against popery.

[1] The Author, who was present, remembers that Mr. Dundas, to justify his positions, read the account of the law from Burnet's History of his own Times.

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associations were formed by the lower classes in Glasgow, Edinburgh, and other towns, under the instigation and conduct of fanatical and turbulent demagogues; and the populace rose to tumult and riot in various places. At Edinburgh and Glasgow the enthusiastic spirit fermented to an alarming degree; mobs set fire to popish chapels, and the dwelling-houses of the catholics; and many zealots of higher ranks and better opportunities of knowledge, were absurd enough to approve of these outrages, *on the ground that it was proper for the people spiritedly to manifest their hatred of popery*. The sufferers applied to Mr. Burke to present a petition to parliament, praying for a compensation on account of the losses which they had sustained. In promoting this application, Mr. Burke and his friends very strongly attacked the supineness of government, to which they imputed the mad violence of the populace; but they adduced no proof that ministers had been negligent, or that the disturbances had arisen from causes over which they had any control.

are imputed by Mr. Burke to the supineness of ministers.

ALTHOUGH this session lasted from November to July, and produced more political debate than any during the former part of the contest; yet, long as it continued, and busy as it was, its acts are of very little legislative importance. The affairs of Ireland were again submitted to the consideration of the house, and various proposals were made for affording relief and assistance to the commercial interest of the sister kingdom; but no regular plan was formed respecting the nature or extent of the aid which was to be expected and offered. The discussion was in a considerable degree confined to barren generalities. Several propositions were at length offered, but their practical consideration was deferred to the following session.

Rupture with Spain.

ON the 17th of June the ministers brought a message to parliament, concerning a hostile manifesto that was presented by the Spanish ambassador. To introduce

introduce this properly to the reader, it is necessary to revert to the king of Spain's character and disposition, together with the circumstances of the times. Though nothing could be more contrary to the solid interests of his kingdom than hostilities with Great Britain, yet Charles III., a monarch of weak understanding, narrow views, and the childish irritability of feeble minds, had, as we have seen, from a fancied insult, cherished against England an enmity, which a real injury could not have justified when so adverse to the commercial and political benefit of his country. He was farther inflamed by that spirit of rivalry, which, in confined and uncomprehensive understandings, values comparative superiority above positive good. He was more anxious to impede the prosperity of England, than to advance the prosperity of Spain. In these causes chiefly originated the actual war and intended hostilities which this history has already recorded. When the present quarrel broke out between France and England, Spain, not yet prepared for the contest, professed a determination to observe a strict neutrality. She had offered her services as a mediator between the belligerent powers, and proposed to mix the separate claims of France and Spain into one view and treaty. On this principle, so strongly and justly reprobated by Mr. Pitt in the former war, a negociation was opened. France now proposed an armistice, and a congress to be held at Madrid, whither the colonists should be permitted to send commissioners, and meanwhile be treated as an independent power. Both courts well knew that these terms were totally inadmissible, on the avowed principles of the court of London; the offer was therefore nugatory and insulting. Spain now openly avowed her hostile purposes, and on the 16th of June delivered a manifesto to the British secretary for foreign affairs. The manifesto in its object was nearly the same with those which

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had been often presented by the courts of Versailles and Madrid; it consisted of charges, without proof, of hostilities committed by England; and praise, contrary to proof, of the moderation and justice of France and Spain. It contained general allegations, of Spanish territories invaded, and Spanish subjects murdered by English, without any specification of the time and place in which the alleged atrocities were committed, or any evidence that they had ever been perpetrated. It stated demands of satisfaction, but adduced no evidence that complaints had ever before been made, or that any injuries existed: it was merely a tissue of assertion without proof; and which neither then, nor ever afterwards, received the slightest support from documents or any other evidence.[m] As she, by her hostile manifesto, avowing her junction with the enemies and revolted subjects of Great Britain, committed an act of open and flagrant hostility, and brought no proof of any previous hostility on the part of England, SPAIN WAS EVIDENTLY THE AGGRESSOR.[n]

Spain evidently the aggressor.

WHEN the manifesto was laid before parliament, opposition at first professed to join in a resolution to support the war against the house of Bourbon; but, as they descended to detail, their eloquence was as usual directed to the crimination of ministers, much more than the security of their country. Lord North proposed to double the militia; he, however, professedly made his proposition as a subject of discussion and modification. Three opinions were pre-

[m] See Spanish manifesto, in State Papers of 1779.

[n] I herein differ from Mr. Belsham, who asserts that Britain was the aggressor; but as this writer brings no proof of the truth of his assertion, and Spain, by her commencement of hostilities, brought such proof against the assertion, I must, instead of relying on the authority, rest upon the evidence, that not my country but its enemies began the war. I confess, that though as an historian, I hold myself bound to narrate the truth, whether favourable or unfavourable to Britain, as a Briton I feel more pleasure in recording its justice, than I should derive from being under the necessity of exhibiting its injustice; and that I have a satisfaction in being convinced these islands did not provoke the confederacy of the great continental powers.

valent

valent on this question: one recommended the adoption of the project as it was originally framed; the second preferred a mixed scheme, which, with a small augmentation of the militia, proposed to levy distinct volunteer corps; and the third objected to any increase of the militia, and would trust to the spirit and patriotism of the nobility and gentry in raising forces, according to the offers which had been already made, and to the efforts of the people, who would unquestionably come forward to defend their king and country. The bill received such great alterations in the house of lords, as totally to change its original nature; and in that state it passed into a law. CHAP. XXII. 1779.

THE supplies granted for 1779, amounted to seventy thousand seamen, and thirty thousand three hundred and forty-six soldiers, besides the army in America and the West Indies, which, including foreigners, consisted of about forty thousand. The services of the year were then estimated to require 15,072,654*l.* The land-tax and duties upon malt furnished their proportions; seven millions were raised by annuities; and a lottery, consisting of 49,000 tickets, was distributed among the subscribers, in the proportion of seven tickets at 10*l.* each ticket, for every thousand pounds subscribed.[o] Lord North said he wanted to have borrowed eight millions, but could procure no more than seven. The whole amount of the money raised by a lottery, was to be distributed into prizes.[p] The sinking fund furnished 2,071,854*l.* Exchequer bills to the amount of 3,400,000*l.* were voted; and other less considerable articles of revenue completed the ways and means. A vote of credit for a million was afterwards passed; and the whole navy debt was left undischarged. The terms on which the loan was filled, were, be- Supplies.

[o] History of Britain during lord North's administration, p. 355.
[p] Ibid.

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sides the douceur of lottery tickets, three per cent. *per annum*, and an annuity of 3*l.* 15*s.* for the term of twenty-nine years, for every 100*l.* The annual interest payable on the money borrowed amounted to 472,500*l.*; to raise which, an additional duty of five per cent. was laid on the full produce of the excise, (beer, ale, soap, candles, and hides excepted), which was estimated at 282,109*l.*; a tax on post horses of one penny a mile, 164,250*l.*; and an additional duty of five per cent. on cambric, 36,000*l.* Various strictures were made on the profusion of public money, and motions of inquiry and censure were repeatedly proposed, and respectively negatived, by ministerial majorities. The session was closed on the 3d of July, by a speech in which the king expressed his cordial thanks for the exertions of parliament for the public welfare in the various departments of national service. He rejoiced that the courage and constancy of his people rose with the difficulties which they had to encounter; and doubted not, that their efforts would finally prevail against their multiplied enemies.

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Hostilities in the West Indies.—Superior force of the French.—British, notwithstanding, capture St. Lucie.—Byron sails northwards to escort the mercantile fleet—in his absence D'Estaing captures Dominica, St. Vincent's, and Grenada.—Engagement between the French fleet and Byron's indecisive.—North America.—Expedition to Georgia under colonel Campbell—who reduces the province.—Maitland's battle with Lincoln—impetuous courage of Fraser's highlanders.—D'Estaing, with a large force, arriving in Georgia, invests Savannah.—Memorable defence of that town by the British—the siege is raised.—Clinton continues a war of detachments.—Gallant exploits of the British troops, without any important result.—Europe.—Perilous situation of Britain.—Combined fleet parade in the channel.—English fleet, in imitation of Drake, endeavours to draw their armada to the narrow seas.—Enemy retreat.—France threatens an invasion.—Loyal and patriotic spirit and efforts of all parties to resist the enemy.—Voluntary contributions.—British fleet keeps the seas, and protects our trade.—Investment of Gibraltar.

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THE first warlike operations of 1779 were in the West Indies: hostilities, indeed, had commenced there in 1778, but so late in the season, that, not to break the unity of the narrative, I include them in the account of the present year.

Hostilities in the West Indies.

A CONSIDERABLE force had been stationed in the French West Indies, under the Marquis de Bouille, who, by a sudden attack, made himself master of the island of Dominica. The success of this enterprise caused a general alarm through the British islands, the defence of which was then entrusted to two ships of the line, under admiral Barrington. A reinforcement, however, consisting of three ships of the line, three of fifty guns, and three

Superiority of the French.

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frigates, joined the admiral in the month of December, having on board general Grant, with a large body of land forces. The British armament, with this accession, sailed for St. Lucie, and arrived there on the 13th of December. D'Estaing now reached Martinique, and being joined by transports with nine thousand troops on board, conceived the hopes of crushing the small fleet which Barrington commanded, and reducing most of the windward British islands, before Admiral Byron could come to their assistance: he threatened Barbadoes, St. Vincent's, Grenada, and Tobago; but learning the unexpected attack that was made upon St. Lucie, he was for the time obliged to derange his plans, and confine himself to defence. On the 17th of December, he landed at St. Lucie: the following day, he assailed the British forces; and, though much superior in number, after an obstinate contest, was defeated, and obliged to abandon the island, which soon after surrendered to the British arms. On the 6th of January, Byron's fleet arriving at St. Lucie, rendered our forces superior to the French: whereupon D'Estaing now acted on the defensive, and for five months kept himself in harbour within the bay of Fort Royal. Both fleets received reinforcements during the winter; the English were joined by a squadron of ships under commodore Rowley, and the French by an armament headed by count de Grasse.

The British, notwithstanding, capture St. Lucie.

Byron sails northwards to escort the mercantile fleet. In his absence, D'Estaing captures Dominica, St. Vincent's, and Grenada.

ADMIRAL Byron, on the 6th of June, left St. Lucie, to conduct the merchant ships which were appointed to assemble at St. Christopher's previously to their departure for England. In the absence of the British fleet, D'Estaing commenced offensive operations: a force, consisting of four thousand and fifty men, under the command of chevalier de Trolong du Romain, sailed from Martinique for St. Vincent's, where they arrived on the 12th of June; they immediately effected a landing, and opened a communication

communication with the Caribbs. The original inhabitants of the island, who considered the British settlers as intruders on their posssessions, were ready to join the French. The garrison consisted of three hundred and fifty effective men, besides those who were confined by sickness; with such a handful of men, conceiving defence impracticable, lieutenant-colonel Etherington, the commander of the forces, and Mr. Valentine Morris, the governor of the island, surrendered St. Vincent's on the same terms which had been granted to Dominica. Reinforced by La Motte Piquette, who arrived with troops and naval stores from Europe, D'Estaing sailed against Grenada, having twenty-six ships of the line, and near ten thousand land forces. The fate of the island was inevitable; but the resolute defence made by lord Macartney, the governor, long protected the settlement, until a hill that commanded the fort being forced, the British leader proposed to capitulate; but the French general having proposed terms unusually hard, the fort and island were necessitated to surrender at discretion. The appearance of the English fleet, consisting of twenty-one ships of the line, though too late to save Grenada, interposed seasonably for the preservation of Tobago, the only possession which remained to England of the islands which were ceded to her at the peace of Paris. A partial engagement followed, in which admiral Barrington, in the Prince of Wales, with the captains Sawyer and Gardner, in the Boyne and Sultan, sustained the whole weight of the French van. The action was indecisive; many of our ships suffered considerable damage, especially in their rigging; and admiral Barrington received a slight wound. The rapidly successive loss of our three valuable islands, had greatly alarmed our remaining West India possessions; but the approach of the hurricanes, added to the loss of men in the last action, repressed

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Engagement between the French fleet and Byron's indecisive.

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repressed any farther attempts of D'Estaing during that season; and he soon after sailed for North America.

1779. North America.

THE contrivers of a project, which, notwithstanding the failure of expected success, they still deem practicable, must rest their hopes of ultimate attainment on a variation of means. Repeated discomfiture did not convince British ministers that the colonies were not to be subdued: still our counsellors conceived they might be reduced through a change of plans, which should be carried into execution by more skilful and vigorous efforts. Alteration of schemes was one of the chief characteristics of the belligerent policy of government during the contest with America, which, in a great measure, was a war of experiments.

THE northern provinces had been the first scenes of hostilities, and afterwards the middle states; but the southern colonies, with little interruption, had been exempted from invasion. Overthrow in the north, and inefficiency in the middle, government now hoped would be compensated by victory in the south; thither it was resolved to direct our efforts, and during the remainder of the conflict, Georgia, the Carolinas, and Virginia, were the principal theatres of active enterprise.

SINCE, indeed, it was resolved to persevere in the attempted reduction, there were strong reasons for carrying our arms to the southern provinces: these colonies produced the commodities which were most wanted, and most valuable in the European markets. France took off an immense quantity of their staple products; and the quiet and security which they had hitherto enjoyed, admitted so vigorous a cultivation, that their export trade seemed little otherwise affected by the war, than what it suffered from the British cruizers. Thus, in effect, the continental credit in Europe was principally upheld by the southern colonies; and they became the medium through

through which they received those supplies, that were not only indispensably necessary to the support of the war, but even to the conducting of the common business and affairs of life.[a] Besides, it was believed, that, in the provinces in question, a much greater proportion of the inhabitants was well affected to the British government, than upon trial had been found among their northern countrymen; and ministers, in spite of experience, received those rumours as authentic information. It was therefore resolved to make an essay in the south, and to begin with Georgia. This province, though in itself neither great nor powerful, possessed considerable importance as a granary to the invaders, and a road to farther progress. It was extremely fruitful in rice, and thus could supply provisions to the royalists when at such a distance from their principal magazines; and being contiguous to East Florida, a loyal colony, where general Prevost was stationed with a body of troops, if recovered, would prove a key to the Carolinas. These reasons determined the British to undertake an expedition to Georgia; and towards the close of the preceding year, the undertaking was commenced by a detachment from the main army.

Expedition to Georgia, under colonel Campbell, who reduces the province.

THE land force destined to execute this project consisted of the seventy-first regiment, two battalions of Hessians, and four of North and South Carolina loyalists, with a body of artillery, amounting in all to three thousand five hundred men, under the command of lieutenant-colonel Campbell. Major-general Prevost was ordered to join the expedition from East Florida, and take the command of the whole; but so ably did Campbell form his plans of attack, and so well was he supported by the spirit and bravery of his little army, and the cordial and zealous co-operation of commodore Parker and the

[a] See Annual Register, 1779, p. 29.

naval

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naval forces, that the reduction of the province was completed before the arrival of Prevost.

HAVING left New York in November 1778, the British commander arrived, on the 23d of December, at the mouth of the Savannah river, upon which Savannah, the capital of Georgia, is situated, about fifteen miles from the sea. Near the metropolis, but farther down the river, How, the American general, was stationed with several regiments, for the double purpose of opposing the landing of the British, and protecting the town. Not fearing these adversaries, Campbell, on the 29th, disembarked his troops, in the face of the provincial musquetry and artillery. The first that reached the land was captain Cameron, with the light infantry of Fraser's highlanders: the Americans received them with a general volley, by which the captain and a few others were killed. The native courage of the highlanders, by the death of their commander stimulated to revenge, hurried on with a force which numbers in vain endeavoured to oppose, and drove the Americans to the woods. Campbell, pursuing the dismayed foes, overtook them at a post near Savannah, which was so strong as to induce How to risque an engagement. His right was covered by a thick woody swamp, and the houses of a plantation filled with riflemen; his left reached the rice marshes upon the river; the town and fort of Savannah protected the rear; the artillery was disposed advantageously on both sides, and a trench of one hundred yards wide, together with a marshy rivulet, guarded the front. The colonists being somewhat more accessible on the left than in any other situation, there they expected the brunt of the British attack, and thither directed their chief attention and vigilance. The sagacity of Campbell discovered their opinions and views; and farther to encourage their belief, made a feint to send troops in that direction.

Meanwhile

Meanwhile having discovered a private path on the right of the enemy, he dispatched sir James Baird, with the light troops, to turn the enemy's rear: conducted by a negro through the secret track, Baird accomplished his object, and assailed the Americans. Campbell finding that the stratagem had succeeded, now bore on the enemy in front. Thus surrounded, the provincials were completely defeated and routed, with the loss of four hundred men, while only seven of the British fell. This victory decided the fate of Savannah, which yielded without farther struggle; all Lower Georgia followed its example; and a great majority of the inhabitants not only abstained from resistance, but even took the oath of allegiance. The next care of Campbell was to form regulations for the tranquillity and government of the province; which duty he effected with great policy and ability.[r] He now resolved to prosecute his success by an expedition into Upper Georgia, where many were said to be well-disposed towards the British government, and only to wait for the support of the king's troops, that they might with safety declare their attachment. The march of Campbell, therefore, into the inland country had a double object; to establish a communication with the loyalists, and to reduce the remaining part of Georgia. Augusta, the second town of the province, lies upon the southern bank of the river Savannah, and is distant from the sea-coast about one hundred and fifty miles. The previous arrangements necessary for marching through such an extent of country, in many places thinly and in some not at all inhabited, were so well adjusted by lieutenant-colonel Campbell, that he met with few interruptions, except such as arose from the watercourses in his way, the bridges over which were in most places destroyed. Upon his approach to Augusta, a body of provincials, under the command of brigadier-

[r] See Stedman, vol. ii. p. 72.

general

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general Williamson, quitted the town, and retreated across the river.* From Augusta, Campbell dispatched lieutenant-colonel Hamilton towards the frontiers of Carolina, to encourage the loyalists by assurances of protection.

ALARMED by the rapid advances of the royal troops, the provincials made dispositions for arresting their progress. General Lincoln, commander of the Americans in the south, soon arrived on the northern bank with a great and increasing force. Campbell, not finding Augusta tenable, retreated down to Savannah; while Lincoln marched along the northern banks, with a view to cross the river and re-conquer Georgia. While Lincoln was thus engaged, general Prevost conceived hopes of surprising Charlestown: on the 10th of May, accordingly, the British troops reached Astley's Ferry in the evening, and having passed the river, appeared before Charlestown the following day. On the 12th, the town was summoned to surrender, but to no purpose. The general having viewed the lines, was convinced, that, though unfinished, they were not to be forced without a loss of men which he could not spare. He knew that the garrison was more numerous than his troops, and that general Lincoln, having heard of his advance, was hastening to its relief from the back country with a numerous army; he therefore retired towards Georgia, took possession of John's Island, a place separated from the main by a small inlet from the sea, and posted himself, until the arrival of ammunition expected from New York. Hearing that Lincoln was advancing to Lower Georgia, he departed for Savannah, in order to place the fort in the best possible condition of defence; and left to colonel Maitland the command of John's Island, with a garrison consisting of the first battalion of the seventy-first regiment, much weakened and reduced

* Stedman, vol. ii. p. 106.

duced in its numbers, a corps of Hessians, part of the North and South Carolina loyalists, and a detachment of artillery, amounting to about eight hundred men fit for duty. General Lincoln, apprised that the garrison was in a weak state, projected to cut it off; and on the 20th of June, he advanced against this handful, with about five thousand men. An attack on the British piquets first gave the alarm; on which colonel Maitland immediately ordering his soldiers to arms, dispatched two companies of highlanders to observe the motions of the enemy, until he should come up himself with his whole force. The impetuous valour of those brave mountaineers hurried them on too far, and their indignant courage forbade them to retreat, when surrounded by superior numbers: falling in with the left wing of the provincials, they commenced an attack against ten times their own force, and maintained the contest until all their officers were either killed or wounded; of the two companies, only eleven made good their retreat.[u] This partial success emboldened the Americans to attack the British lines, and a regiment of Hessians, overborne with the provincial force, had given way, and were communicating their confusion to the rest of our troops, when the remaining companies of the highlanders, by a movement equally judicious, bold, and rapid, stayed the progress of the American army, avenged the cause of their fallen countrymen, and gave a decisive turn to the fortune of the day. The heroism diffused itself over the British troops: the skill of colonel Maitland seized the happy moment, rallied the retreating Hessians, and repelled

1779. Maitland's battle with Lincoln.

Impetuous valour of Fraser's highlanders.

[t] Among the slain was their brave commander, Captain Charles Campbell, the eldest son and heir of the house of Ardchattan in Argyleshire, a youth whom the writer recollects as a class-fellow at St. Andrew's college, and of high promise. His conduct, during four campaigns in America, acquired him great military reputation, which he was rapidly increasing, when, in the 24th year of his age, he fell fighting for his king and country.

[u] See Stedman, vol. ii. p. 117.

and

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and routed the enemy. The Americans, dispirited by so unsuccessful an attack, attempted no farther offensive operations until the unexpected arrival of D'Estaing re-animated their hopes of expelling the English from Lower Georgia. Informed of the coming of so powerful an auxiliary, Lincoln marched to join the French forces. Prevost prepared for the defence of Savannah, and dispatched orders to colonel Maitland to repair thither with all possible haste; old fortifications were strengthened, and new works constructed, under the direction of a masterly engineer, captain Moncrief. D'Estaing having landed his troops, without waiting for the Americans, in terms of the most boasting bravado and illiberal insolence summoned the British general to surrender. Despising the gasconade, Prevost considered how he might gain time until the arrival of colonel Maitland; he therefore sent a civil answer, desiring a truce for twenty-four hours. The Frenchman, in the confidence of vanity, doubted not that a surrender would be determined, and that the period wanted was for the purpose of drawing up propositions of capitulation; he therefore complied with the request. Meanwhile colonel Maitland having marched with astonishing rapidity, reached Savannah; and thus reinforced, the general notified his resolution to defend the place to the last extremity. Lincoln being now arrived, the combined armies made dispositions for carrying on the siege; ground was broken on the 23d of September, and the British interrupted the operations by several successful sallies. On the 4th of October, the batteries of the besiegers being opened, a request was made by general Prevost, that the women and children might be permitted to leave the town, and embark on board vessels in the river, which should be placed under the protection of the count D'Estaing, and await the issue of the siege. This request, so agreeable to humanity, was refused in terms of insulting

D'Estaing with a large force arriving in Georgia, invests Savannah.

Memorable defence of that town by the British.

sulting rudeness; which shewed that the French commander, having long proved himself destitute of the honour[x], was no less deficient in the manners, of a gentleman, and that dereliction of integrity often brings along with it a disregard for the decencies and proprieties of civilized life. On the morning of the 9th, D'Estaing made an attack upon the British lines; two feigned assaults were intended to draw the attention of the besieged to the centre and left, while, in two columns, the main body turning the right of the British, should attack the rear. The operations began before day-light; fortunately, one of the enemy's columns mistaking its way in the darkness, was entangled in a swamp adjoining the fortress, and exposed to the fire of the British batteries. Morning having discovered this division not yet extricated from the morass, the British commenced immediately so hot a fire, as not only to prevent the enemy from turning the rear, but even from forming, and destroyed numbers of their men. Meanwhile D'Estaing himself, with the other column, advanced against a redoubt which served as an outwork for the garrison; the combat became extremely fierce and desperate; for a few minutes a French and American standard was planted on a parapet. The contest for the possession of the redoubt was long maintained by both sides; when lieutenant-colonel Maitland, seizing the critical moment, ordered the grenadiers of the sixtieth regiment, with the marines, to move forward and charge the enemy's column, already staggering, under the obstinate resistance at the redoubt, and the slaughter which had been made by the artillery from the different batteries, as well as from the Germaine armed brig. This well-timed movement decided the fate of the attack: the assailants were repulsed, driven out of the ditch of the redoubt,

[x] He had broken his parole in a former war.

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and routed with redoubled slaughter, leaving behind them, in killed and wounded, six hundred and thirty-seven of the French troops, and two hundred and sixty-four of the Americans. The issue of this battle determined the siege; the allies separated; the Americans retreated to South Carolina, and the French returned to their ships. Soon after their embarkation, their fleet was dispersed by a storm; D'Estaing, with part of the ships, sailed for France, and the rest returned to the West Indies.

The siege is raised.

Clinton continues a war of detachments.

In the northern provinces, the war this year was carried on in partial and detached expeditions, but productive of no important event. Sir George Collier, who succeeded admiral Gambier in the command of the fleet, had been employed on the coast of Nova Scotia; there, by his activity, enterprise, and vigilance, he had destroyed numbers of American privateers, which harassed the coasting trade of the colonists, and protected the British commerce to Canada and Nova Scotia, and the Newfoundland fisheries. For his services in the station being promoted to an higher employment, he repaired to New York; there Sir Henry Clinton and he concerted an expedition to Virginia, not with any hopes of making a permanent impression on that central and valuable province, but with a view to impair resources from which the enemy were principally supplied. By the exports of tobacco from the Chesapeak, the credit of congress with foreign nations was chiefly, if not wholly supported; and, by the inland navigation of that bay, large quantities of salt provisions, the produce both of Virginia and North Carolina, were conveyed to the middle colonies for the subsistence of the American army. A detachment under general Matthew, consisting of eighteen hundred men, accompanied by sir George Collier with a ship of the line and four

four sloops of war, made a descent upon Virginia, burnt the town of Suffolk, took or destroyed an immense quantity of provisions and stores at Gosport and other parts on the coast at Portsmouth, and a great number of merchant ships belonging either to the Americans or their new allies, amounting in all to one hundred and thirty-seven. Having thus annoyed our enemies, and acquired a considerable booty, the armament returned to New York.[y] General Clinton attacked Verplank's Creek and Stoney Point, two important posts on the Hudson river, commanding the passage at King's Ferry, which was the most direct and convenient course of communication between the northern and middle colonies. On the approach of the British troops, the forts were abandoned: Major-general Tryon and sir George Collier undertook an expedition against Connecticut, which, abounding in men and provisions, was a great support to the American army: they successively reduced the several towns, took or destroyed the provisions, ammunition, stores, artillery, and ships, but respected private property as much as possible, and treated the provincials with meritorious lenity[z]. General Tryon and admiral Collier now proceeded to relieve Penobscot, wherein general Maclean, with a detachment of about six hundred and fifty British, had established a post, in order to check the incursions of the provincials to Nova Scotia. The Americans attempted to surprise this fort, but finding the British prepared for their reception, made dispositions for a regular siege. On the 12th of August Maclean learned that the next day an assault was intended. On the 13th, however, no attack was made. On the 14th, the garrison early in the morning discovered, to their great surprise, that the

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[y] Mr. Belsham, in his narrative, disapproves of these expeditions as inconsistent with humanity; as if it were contrary to humanity to impair in an enemy the means of doing us hurt!

[z] Stedman, vol. ii. p. 143.

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enemy had evacuated their works, and in the course of the day found the reason of their departure, in the approach of Collier's squadron. The American ships were taken or burnt; the soldiers and sailors endeavoured to save themselves by flight, but many of them died of fatigue. Collier, on returning to New York, was superseded by admiral Arbuthnot, and soon after embarked for England. The Americans surprised Stoney Point some weeks after its capture, and having taken the fortress by surprise, behaved with the most laudable humanity to the prisoners; but on the approach of a British detachment, again evacuated the garrison. They also made an attempt on Palreshook, a British post on the Jersey shore, opposite to New York: Lee, an American major, had learned that a party from the garrison had gone up the country to forage. Advancing at night with three hundred men to the gate, he was mistaken by the centinel for the officer who commanded the foraging party, and being by that means suffered to pass with his detachment, seized two redoubts. Major Sutherland, commander of the post, being alarmed, called together sixty Hessians, whose vigorous onset compelled the provincials to retire, with about forty prisoners: their retreat was by military men reckoned extremely precipitate.

Gallant exploits of the British troops, without any important result.

General Clinton, informed of the arrival of D'Estaing in Georgia, and apprehending a descent upon New York, withdrew his troops from Rhode Island and other detached posts; and concentrating his forces, acted on the defensive for the rest of the campaign. Such, in this campaign, were the exploits of Clinton's forces, whose efforts and atchievements bore fresh testimony to British valour, but produced no important results. Through all our exertions, no progress was made towards the attainment of the object.

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A WAR of devastation was carried on between the Americans and Indians; in which, though the former were most frequently superior, they by no means subjugated their enemies.

THE Spaniards this year conquered West Florida, and entirely expelled the British from the Missisippi trade. To compensate this loss, commodore Luttere] and captain Dalrymple captured Fort Omóa, wherein they found two register ships, estimated at 640,000*l.* with about a fifth more in other plunder. France made a successful expedition to the coast of Africa, with a strong squadron destined afterwards to reinforce D'Estaing in the West Indies. The British forts, settlements, and factories at Senegal on the Gambia, and other parts of the coast, being totally incapable of resisting, each were successively taken.

Europe.

FROM distant regions we now return to Europe, wherein the combined force of the house of Bourbon was exerted to overpower Great Britain on her own element, but was exerted in vain.

UNWISE as Spain manifested herself, in seeking a contest with England, she had dexterously timed her avowal of hostile intentions: she had suspended her declaration until the arrival of her annual treasures from her dominions in America, and until she was able to join the French fleet in Europe. On the 12th of June, the armament of France sailed from Brest towards the coast of Spain; on the 16th, the Spanish minister had, as we have seen, delivered the manifesto; and, on the 24th of the same month, the Spanish fleet joined the French.

Perilous situation of Britain.

THE situation of England at this time appeared peculiarly perilous. She had formerly coped with the house of Bourbon, but had not been obliged to encounter its undivided strength. Her continental allies, by employing a considerable part of the land efforts of our enemies, had prevented their principal exertions

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exertions from being directed to maritime operations. It had been often objected to her statesmen, that they too ambitiously courted foreign confederacies; her ministers were now censured for their total avoidance of continental connections. She had now to stand alone against the Bourbon force, joined to her own revolted subjects; and while a great part of her power was employed against her ancient colonies, a naval armament, in multitude of men, number, and size of ships, unprecedented in maritime history, prepared to bear down upon the remainder. Foreign nations, seeing her in such circumstances, considered her ruin as fast approaching; but the event soon shewed, that however unwise it may be in Britain entirely to renounce alliances with European neighbours, yet in herself, in the resources of her own industry, ability, and spirit, she possesses the means of repelling every attempt of her enemies: gigantic as were the efforts, they did not avail.

BEFORE the commencement of the chief naval operations, a squadron of French made an attempt upon the island of Jersey. This attack, though easily repulsed, produced important consequences. Admiral Arbuthnot, on the 2d of May, was proceeding down the Channel with a reinforcement of troops and a large supply of provisions and stores, to join sir Henry Clinton, when he received intelligence that the French were in Jersey; and, leaving his convoy at Torbay, he with his squadron hastened to the relief of the island. This laudable movement, though executed as rapidly as possible, besides being the cause of considerable delay in his own voyage, interfered with our plan for the naval campaign in Europe. It being apprehended, that as the season was advancing, the Brest fleet might be out, and attempt to intercept so valuable a convoy, ten ships of the line, under admiral Darby, were dispatched from the Channel fleet to conduct

Arbuthnot

Arbuthnot beyond all probable danger. Our principal armament, which had been intended to block up the French in Brest harbour, to prevent its junction with the Spaniards, was deemed inadequate to the service, until it should be rejoined by Darby. During this interval, the two fleets of our enemies were enabled to meet: when united, they amounted to more than sixty ships of the line, with nearly an equal number of frigates; and, soon after their junction, this formidable armada steered towards the British coasts. Sir Charles Hardy, with thirty-eight sail of the line and a smaller proportion of frigates, was cruizing in the chops of the Channel, when the combined fleet passed him considerably to the eastward, about the middle of August, and proceeded as far as Plymouth. The enemy in their way took the Ardent, a ship of the line that was sailing to join the British admiral. They made no attempt to land, but continued in sight of Plymouth several days. After having paraded there to the great alarm of the people, a strong easterly gale drove them out to the ocean: they ranged about the land's end, Scilly islands, and adjacent parts, till the end of the month. On the 31st of August, sir Charles Hardy entered the Channel in sight of the combined fleet, which made no attempt to oppose his passage. The British admiral, like his renowned predecessor Drake in similar circumstances, endeavoured to entice the enemy into the narrow seas, where they could not have sufficiently expanded their force; but perhaps dreading the fate of the former armada, when it presumed to brave England on her own element, they retired. The enemy accompanied this ostentatious exhibition of their fleet with threats of an invasion by a powerful army. The northern provinces of France were every where in motion; forces were marched down to the coasts of Normandy and Britanny; the ports in

The combined fleets parade in the Channel.

The English fleet endeavoured to draw this armada to the narrow seas.

The enemy retreat.

France threatens an invasion.

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in the Bay and in the Channel were crowded with shipping; and the general and principal officers were named by the king to command and act in a grand intended expedition. The British government, with suitable vigilance and activity, prepared to defeat the expected attack. Numerous cruizers were stationed in the Channel, to watch the enemy's motions; the militia were embodied; they and the regular troops marched to our southern coasts, and cattle, horses, and whatever else could be conveniently moved, were, by a proclamation, driven into the interior country. The prospect of such danger roused the national spirit; party disputes were by the bulk of the people for a time forgotten; they no longer enquired whether North or Fox would make the ablest minister, but agreed in thinking that Britain, an independent and free state, was happier, than she could be as the dependent province of an arbitrary monarchy. These thoughts, and the consequent sentiments, animated every loyal and patriotic heart. Public bodies and private individuals made voluntary contributions to raise men for the defence of their king and country. But our exertions were not confined to defence: while this mighty armament hovered over our coasts, a squadron of ships, under commodore Johnstone, alarmed the opposite shores of France; our cruizers and privateers annoyed the trade of our enemies; our own rich mercantile fleets from the East and West Indies came safe into harbour, while the Bourbon armament was at sea. The combined host returned to Brest harbour, where the bad state of their ships, and sickness of their crews, confined them to port for the rest of the campaign. Thus the approach of this immense equipment, and the threatened invasion, proved mere empty bravadoes. Sir Charles Hardy continued till the beginning of November to cruize with his fleet. In spite of her combined

Loyal and patriotic spirit and efforts of all parties to resist the enemy.

Voluntary contributions.

The British fleet keeps the sea, and protects our trade.

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combined enemies, Britannia still ruled the waves. The only commercial fleet that was in any danger, owed its peril to a private adventurer. Paul Jones, in the end of July, sailed with a squadron, consisting of a forty gun ship, a frigate of thirty-six, and another of thirty-two guns, a brig of twelve guns, and a cutter, from port L'Orient, to intercept our homeward-bound fleet from the Baltic. These merchantmen were under the convoy of the Serapis, of forty-four guns, captain Pierson, and the Countess of Scarborough, of twenty guns, captain Percy. On the 23d of September, captain Pierson having discovered the enemy off Scarborough, made signal to the convoy to run ashore as soon as possible; and when near enough to perceive the superior force of the enemy, summoned the other frigate to his side. Jones, trusting to the numbers of his men and guns, offered battle; being within musket shot, he attacked the Serapis, and attempted to board her, but was repulsed. Captain Pierson, after gallantly maintaining the contest for a long time against the two largest ships of the enemy, at length seeing no hopes of success, in mercy to his men struck his colours. Percy, with his twenty gun ship, made a no less valiant defence against Jones's frigate of thirty-two, but was compelled to strike. The loss of the British in killed and wounded was great; but that of the enemy much greater. Jones's own ship was so greatly damaged, that she sunk two days afterwards. In this engagement, two of the king's ships were lost; but their resistance saved the whole convoy, which escaped into different harbours.

Investment of Gibraltar.

One of the principal objects of Spain was Gibraltar; accordingly preparations were early made for proceeding against that fortress. Aware of the natural strength of the place, of the number and valour of its defenders, lately reinforced with troops,

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and supplied with ammunition and stores, the Spaniards saw that a siege would be impracticable, and that the only means of reduction was blockade: they therefore, in July, invested it by sea and land, but made no impression during the first campaign.

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